

AGENDA

BOARD OF MAYOR AND ALDERMEN

November 28, 2006

**7:30 PM
Aldermanic Chambers
City Hall (3rd Floor)**

1. Mayor Guinta calls the meeting to order.
2. The Clerk calls the roll.
3. Presentation regarding Manchester's Weed and Seed activities.

CONSENT AGENDA

4. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Approve under supervision of the Department of Highways

- A. PSNH Pole Petition #11-1127 located on Bryant Road;
PSNH Pole Petition #11-1128 located on Pine Street; and
PSNH Pole Petition #11-1129 located on Somerville Street.

Informational – to be Received and Filed

- B. Communication from Leo Bernier, City Clerk, advising that the Manchester City Archives has been awarded a grant of \$8,141 to restore eight (8) volumes of births, marriages and deaths.
- C. Manchester Health Department monthly report summary for November 2006.
- D. Communication from Comcast advising of the 3rd quarter of 2006 franchise fee payment in the amount of \$317,582.58.

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION

- E.** Advising that it has accepted the City's Monthly Financial Statements (unaudited) for the four months ended October 31, 2006 for FY2007 and is forwarding same to the Board for informational purposes.
(Note: available for viewing at the Office of the City Clerk and previously forwarded to Mayor and Aldermen.)
(Unanimous except for Alderman Thibault who was absent.)
- F.** Advising that it has accepted the following Finance Department reports:
- a) department legend;
 - b) open invoice report over 90 days by fund;
 - c) open invoice report all invoices for interdepartmental billings only;
 - d) open invoice report all invoices due from the School Department only;
 - e) listing of invoices submitted to City Solicitor for legal determination; and
 - f) accounts receivable summary.
- (Note: available for viewing at the Office of the City Clerk and previously forwarded to Mayor and Aldermen.)*
(Unanimous except for Alderman Thibault who was absent.)
- G.** Advising that it has accepted a summary of CIP project balances as of September 30, 2006 and is forwarding same to the Board for informational purposes.
(Note: available for viewing at the Office of the City Clerk and previously forwarded to Mayor and Aldermen.)
(Unanimous except for Alderman Thibault who was absent.)
- H.** Recommending that the 1st quarter FY2007 write off list for the accounts receivable module be approved as amended in Committee by adjusting the Fire Department total downward by \$1,640.
(Unanimous except for Alderman Thibault who was absent.)

- I.** Advising that it has accepted the current audit report submitted by the Independent City Auditor as enclosed herein.
(Unanimous except for Alderman Thibault who was absent.)

COMMITTEE ON ADMINISTRATION/INFORMATION SERVICES

- J.** Recommending that a request from Peter Ramsey of The Palace Theatre to hang a banner across Hanover Street from November 20th to December 23rd be granted and approved under the direct supervision of the Highway, Risk and Traffic Departments.
(Unanimous vote)

COMMITTEE ON BILLS ON SECOND READING

- K.** Recommending that Ordinances:
“Amending Section 33.047 (Probationary Period) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.048 (Advancements Within Pay Range) of the Code of Ordinances of the City of Manchester.”
ought to pass.
(Unanimous except for Alderman Duval who was absent.)
- L.** Recommending that Ordinance:
“Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.”
ought to pass.
(Unanimous except for Alderman Duval who was absent.)
- M.** Recommending that Ordinance:
“Amending the Code of Ordinances of the City of Manchester by adding sections and changing language to 70.06, 70.48 and 70.78 providing for Pay and Display Meters, Procedures, Enforcement and Penalties.”
ought to pass and layover as previously amended by the Board and contained herein.
(Unanimous except for Alderman Duval who was absent.)

COMMITTEE ON PUBLIC SAFETY AND TRAFFIC

- N. Advising that it has approved a request of the Library to bag two meters on Amherst Street as temporary handicap parking during the construction period of renovations to the handicap accessible entrance.
(Unanimous vote)
- O. Recommending that a request from Intown Manchester to allow free parking downtown on Thursday evenings throughout December be approved.
(Unanimous vote)
- P. Recommending that a request from Marcel's Way for the use of Arms Park on Saturday, April 14, 2007 from 10 AM until 4 PM with a rain date of Sunday, April 15, 2007 for a walkathon and festivities to benefit their cause for Mitochondrial Disorders be granted and approved, under the direct supervision of the City Clerk, Parks, Police, Risk and Traffic Departments.
(Unanimous vote)
- Q. Recommending that the Board approve a standard crosswalk design for added visibility to be marked with white diagonal lines at a 45-degree angle to the line of the crosswalk.
(Unanimous vote)
- R. Recommending that regulations governing standing, stopping, parking and operations of vehicles be adopted and put into effect when duly advertised and posted.
(Unanimous vote)

LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.

5. Communication from Diane Prew, Information Services Director, submitting her retirement effective December 29, 2006.
A motion is in order to accept the retirement with regrets.
6. Communication from Victoria Chapman submitting her resignation as a member of the Senior Services Commission.
A motion is in order to accept the resignation with regrets.
7. Nominations to be presented by Mayor Guinta, if available.

OTHER BUSINESS

8. State Legislative update presented by Mayor Guinta, if available.
9. Ordinances: **(A motion is in order to read by titles only.)**

“Amending Section 33.047 (Probationary Period) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.048 (Advancements Within Pay Range) of the Code of Ordinances of the City of Manchester.”

“Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.”

“Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester.”

“Amending the Code of Ordinances of the City of Manchester by adding sections and changing language to 70.06, 70.48 and 70.78 providing for Pay and Display Meters, Procedures, Enforcement and Penalties.”

These Ordinances having had their second reading by titles only the question is on passing same to be Enrolled.

10. Mayor Guinta advises a motion is in order to recess the meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.
11. Mayor Guinta calls the meeting back to order.
12. Report of the Committee on Accounts, Enrollment and Revenue Administration, if available.
Ladies and Gentlemen, what is your pleasure?
13. Communication from Joan Porter, Tax Collector, requesting authorization to allow prepayment of property taxes pursuant to RSA 80:52-a.
Ladies and Gentlemen, what is your pleasure?
14. Communication from Randy Sherman, Interim Finance Officer, requesting that approximately \$50,000.00 be set aside in Contingency due to the severance payout to the former Finance Officer.
Ladies and Gentlemen, what is your pleasure?
15. Communication from Randy Sherman, Interim Finance Officer, in response to questions raised by the Board relative to parking revenues generated from the Jac-Pac property.
Ladies and Gentlemen, what is your pleasure?
16. Communication from Tim Clougherty, Chief Facilities Manager, in response to questions raised by the Board relative to whether HB 248 was explored regarding school funding and reimbursement of costs associated with the School Design Build project.
Ladies and Gentlemen, what is your pleasure?
17. Ordinances: **(A motion is in order to read by titles only.)**

“Amending Section 33.047 (Probationary Period) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.048 (Advancements Within Pay Range) of the Code of Ordinances of the City of Manchester.”

“Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.”

“Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester.”

These Ordinances having had their third and final reading by titles only the question is on passing same to be Ordained.

TABLED ITEMS

A motion is in order to remove any of the following items from the table for discussion.

- 18.** Report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.”

ought to pass.

*(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)
(Tabled 09/05/2006)*

- 19.** Report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery.”

ought to pass.

*(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)
(Tabled 09/05/2006)*

- 20. NEW BUSINESS**

- a) Communications
- b) Aldermen

- 21.** If there is no further business, a motion is in order to adjourn.



CITY OF MANCHESTER

Department of Health

1528 Elm Street
Manchester, NH 03101-2106
Telephone: (603) 624-6466

Administrative & Environmental Health FAX (603) 628-6004
Community Health FAX: (603) 665-6894
School Health FAX: (603) 624-6584
Website: www.ManchesterNH.gov

November 21, 2006

Honorable Mayor Frank Guinta
Board of Aldermen
C/o City Clerk's Office
1 City Hall Plaza
Manchester, New Hampshire 03101

Subject: Weed & Seed Presentation, November 28, 2006

Dear Honorable Mayor Guinta and Board of Aldermen,

On behalf of the Manchester, New Hampshire Weed & Seed Strategy, please accept this request to provide a brief overview of the successes and future sustainability needs of Manchester's Weed & Seed program at the November 28, 2006 meeting of the Mayor and Board of Aldermen.

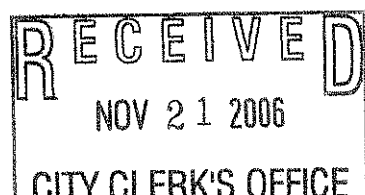
Weed & Seed is a United States Department of Justice (US DOJ) designation that was bestowed upon Manchester in 2001. Since that time, the US DOJ has provided nearly one million dollars to assist Manchester in "weeding" out crime and "seeding" in community involvement. We would like the opportunity to share some of the successes of this program with the Mayor and Board of Aldermen.

Weed & Seed is in its fifth and final year of federal funding. Knowing that combating crime and improving the quality of life for Manchester's residents is a priority for all of us, we would like to also begin the dialogue as to how the City of Manchester can continue to sustain this important initiative.

On behalf of the Manchester Health Department, Manchester Police Department, and all Weed & Seed community partners, we look forward to seeing you on November 28th.

Sincerely,

Timothy M. Soucy, REHS, MPH
Public Health Administrator



3

CITY OF MANCHESTER, NH
PETITION FOR POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 1

November 2, 2006

*To the Hon. Board of Mayor and Aldermen
of the City of Manchester, New Hampshire:*

**PUBLIC SERVICE OF NEW HAMPSHIRE
&
VERIZON NEW ENGLAND, INC.**

request a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across, and under the following public ways:

License one replacement pole, 453/3, located on Bryant Road in the City of Manchester.

Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked "POLE LOCATION PLAN, PUBLIC SERVICE OF NEW HAMPSHIRE and VERIZON NEW ENGLAND".

Plan No. 11-1127
Dated: October 30, 2006

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: Erin Normand
Erin Normand, Plant Records/Licensing

VERIZON NEW ENGLAND, INC.

BY: Glenn Mills
Glenn Mills, Right of Way Department

A

CITY OF MANCHESTER, NH
PETITION FOR POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 1

November 2, 2006

*To the Hon. Board of Mayor and Aldermen
of the City of Manchester, New Hampshire:*

**PUBLIC SERVICE OF NEW HAMPSHIRE
&
VERIZON NEW ENGLAND, INC.**

request a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across, and under the following public ways:

License one replacement pole, 971/31, located on Pine Street in the City of Manchester.

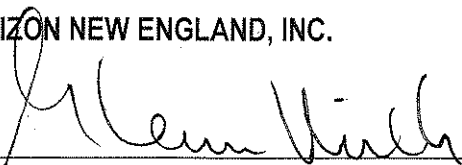
Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked "POLE LOCATION PLAN, PUBLIC SERVICE OF NEW HAMPSHIRE and VERIZON NEW ENGLAND".

Plan No. 11-1128
Dated: October 27, 2006

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: 
Erin Normand, Plant Records/Licensing

VERIZON NEW ENGLAND, INC.

BY: 
Glenn Mills, Right of Way Department

A

CITY OF MANCHESTER, NH
PETITION FOR POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 1

November 2, 2006

*To the Hon. Board of Mayor and Aldermen
of the City of Manchester, New Hampshire:*

**PUBLIC SERVICE OF NEW HAMPSHIRE
&
VERIZON NEW ENGLAND, INC.**

request a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across, and under the following public ways:

License one new pole, 72/70S, located on Somerville Street in the City of Manchester.

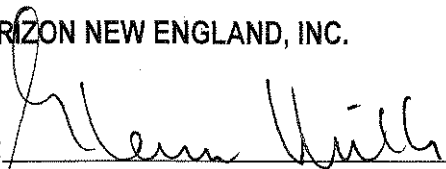
Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked "POLE LOCATION PLAN, PUBLIC SERVICE OF NEW HAMPSHIRE and VERIZON NEW ENGLAND".

Plan No. 11-1129
Dated: October 24, 2006

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: 
Erin Normand, Plant Records/Licensing

VERIZON NEW ENGLAND, INC.

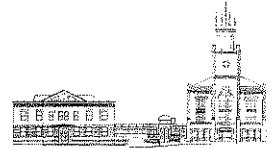
BY: 
Glenn Mills, Right of Way Department

A



CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk


Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

DATE: November 17, 2006

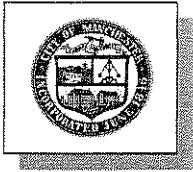
TO: Board of Mayor and Aldermen

FROM: 
Leo Bernier

RE: New Hampshire Vital Records Preservation Grant

The Office of the City Clerk is pleased to announce that the Manchester City Archives has been awarded a grant of \$8,141 to restore eight (8) volumes of births, marriages and deaths. Additional funds will be provided to microfilm these records. This preservation project is supported by the State of New Hampshire's Vital Records Improvement Fund.

B



MANCHESTER HEALTH DEPARTMENT MONTHLY REPORT SUMMARY, NOVEMBER 2006

Public Health Preparedness Program

PROGRAM LISTING:

**Arbovirus
Surveillance &
Control**

**Chronic Disease
Prevention**

**Communicable
Disease Control**

**Community
Epidemiology**

Dental Health

**Environmental
Planning and
Pollution Control**

Food Protection

HIV Prevention

**Homeless Health
Care Project**

Immunizations

**Institutional
Inspections**

**Lead Poisoning
Prevention**

**Public Health
Investigations**

**Public Health
Preparedness**

Refugee Health

School Health

**Sexually
Transmitted
Disease Control**

**Tuberculosis
Control**

Water Quality

**Youth Health
Promotion**

Summary of Program: September 11, 2001 is a date no one will ever forget. The attacks on America on this day, and the subsequent anthrax attacks in October 2001, brought to light the need to improve our country's public health infrastructure. While most people think of this time as the turning point for public health preparedness, work in this area had already begun. In 1998, the Senate Subcommittee on Public Health recognized the need to increase public health capacity in the United States. This led to the "Public Health Threats and Emergencies Act of 2000," which was co-sponsored by Senators Frist and Kennedy. The purpose of this piece of legislation and subsequent allocations was to "upgrade state and local public health jurisdiction's preparedness for and response to bioterrorism, other outbreaks of infectious disease, and other public health threats and emergencies." For the past five years, public health preparedness funding has played a pivotal role in improving our community's capability to protect the public health of its citizens.

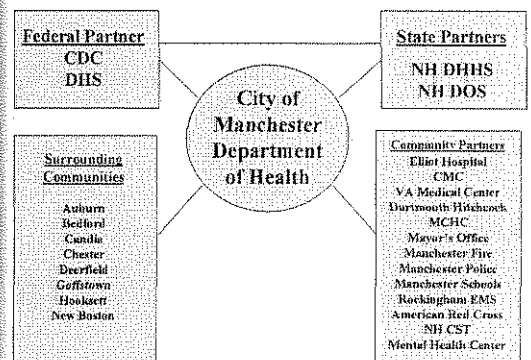
The key to the success of the Manchester's public health preparedness program has been partnerships. When it comes to preparing a community, or a region, to respond to a public health threat, no one organization can do it alone. In Manchester, we are fortunate to have established relationships between our first responders, hospitals and health care providers, neighboring towns, and City, State and federal partners. This collaborative effort has enabled us to enhance our community surveillance for rapid detection of unusual outbreaks of illness, and has improved our capacity to respond to these outbreaks. It has improved our communication capabilities and facilitated coordination with our neighboring communities. It has also enabled us to develop plans and exercise these plans, all in an effort to assure that our community is as prepared as it can be to respond to an emergency, whether naturally occurring or the result of an act of terrorism.

Summary of Activities:

- Improved Manchester Health Department's ability to respond 24/7
- Developed and exercised mass vaccination plans
- Developed and exercised SARS and Pandemic Influenza response plans
- Developed and exercised chemical decontamination plans
- Implemented a school based disease surveillance system (STEMS)
- Improved linkages to the medical community
- Trained over 200 public health practitioners from around the State at the New Hampshire Institute for Local Public Health Practice at the Manchester Health Department (ILPHP)

Program Notes and Trends: Public health preparedness is a new and expanded dimension of public health that has become a critical component of all local public health departments. As we move forward, we will continue to use technology to facilitate services and communicate with our partners. Through the ILPHP, we will work to assure a competent public health work force in New Hampshire. By developing competencies we as a State can then address credentialing and certification of local public health departments, a key component to improving our public health infrastructure. We will continue to work with our partners to draft, revise and exercise emergency response plans, always striving to assure that our community is prepared for any public health emergency that we may face.

Public Health Preparedness in Manchester: Partnerships



Community Activities

Safe Food Handling Seminar: On October 31, 2006, the Division of Environmental Health held its semi-annual Safe Food Handling Seminar. Two hundred and fifty (250) people from over 125 of Manchester's food service establishments were in attendance. Through a series of discussions and demonstrations, attendees were provided information on the steps needed to prevent a foodborne illness in their restaurant. The next seminar will be held in April, but Environmental Health Specialists are always available to do on-site training of food service workers.

A Note from the Outgoing Public Health Director

On November 30th, I'll be retiring after more than 33 years with the Department, including 20 years as its director. There were many "highlights" in Manchester public health through these years, with just a few mentioned below.



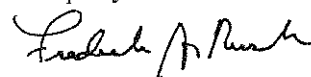
In the 1970's, better regulation of food establishments and on-site sewage disposal systems were key issues that the Department addressed. Lead poisoning in children became widely recognized as the most significant environmental issue that Manchester children face and Manchester became the first community to work with the legislature to address this problem. In 1976, the Department earned an article in the Wall Street Journal after it hosted one of the first swine flu clinics in the country.

The 1980's saw the emergence of new communicable diseases, such as AIDS, and the reemergence of old threats such as tuberculosis. At times, tuberculosis resurfaced in a new, more deadly multi-drug resistant strain. The emergence of new food borne diseases such as *E. coli* 0157 reminded us that public health needed to maintain its vigilance over the safety of foods. With the consolidation of smaller schools into larger schools with higher enrollments, the Department recognized the importance of school health services to children's health and restructured its services to develop a separate division for school health. Over the ensuing twenty years, the school health staff doubled from about 15 FTE to nearly 30 FTE school health services staff. Each of Manchester's public schools has at least a school nurse present every school day, with two full time float nurses available to help out in any school when the workload warrants it.

The relationship between chronic diseases and American lifestyles became widely recognized in the 1990's as the most significant challenge that public health agencies needed to address in order to continue the century long improvement in the health and longevity of American families. This work involved a community response, rather than a department response, so the Department formed the Healthy Manchester Leadership Council. The Healthy Manchester Leadership Council is comprised of key healthcare, human service agency heads and others with the express purpose of working together to find community solutions to broad public health issues. This council's work led to a 30 % reduction in births to adolescents, the fluoridation of the City water supply, and the development of several collaborative community health strategies to address pressing public health concerns.

The turn of the century saw the emergence of new public health problems: bioterrorism, anthrax scares, smallpox readiness, SARS, flu pandemic fears, and the concern about the growing number of uninsured who don't have full access to health care services. In 2002, the Health Department was forced from its home at 795 Elm Street by a devastating fire. Over the next couple of years, the Department transitioned to the wonderful office that it currently occupies at 1528 Elm Street. This office space has been designed and created for use as a health department, so it is efficient and comfortable for both the public and employees alike.

The most rewarding aspect of having spent a career in public health in Manchester has been the wonderful Department staff and community partners whom I have worked with. Their commitment to the well-being of our community is truly exemplary. Manchester is in good public health hands!

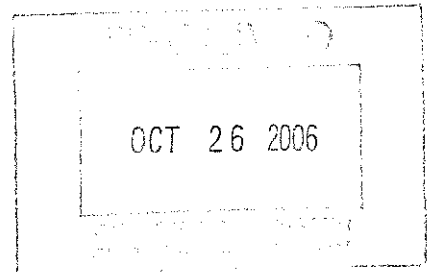


FOR MORE INFORMATION

Visit our website at <http://www.manchesternh.gov/CityGov/HLT/Home.html>, or call 624-6466



Comcast Cable
54 Regional Drive
Concord, NH 03301



October 24, 2006

Mayor Frank Guinta
City of Manchester
One City Hall Plaza
Manchester, N.H. 03101

Dear Mayor Guinta:

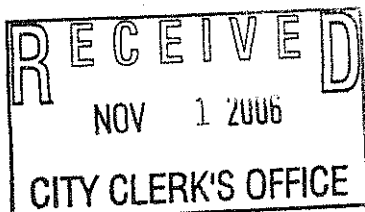
Enclosed is the Comcast franchise fee payment for the third quarter of 2006, along with a backup detailed accounting sheet. If you have any questions regarding this payment, please feel free to contact me at 603-224-0957 ext. 202.

Sincerely,

Bryan Christiansen
Manager of Government & Community Relations

Enclosed:

Check number: 289050095, \$317,582.58



D

COMCAST
NORTHERN DIVISION

CITY OF MANCHESTER
Period: Jul. 1, 2006 thru Sep. 30, 2006

Totals

Totals By Service:

Basic Service Revenue	\$ 4,477,975.15
Pay Service Revenue 1	\$ 833,237.18
Other Revenue 2	\$ 542,377.99
Digital Revenue	\$ 635,789.57
Late Fee Revenue	\$ 26,275.09
Subtotal	<u>\$6,515,654.98</u>

Totals By Non Service:

Leased Access Revenue	\$ 26,938.41
Less Bad Debt	\$ (190,941.72)
Subtotal	<u>(\$164,003.31)</u>

Total Gross Revenue \$6,351,651.67

Franchise Fee 3Q (5%) \$317,582.58

Franchise Fee 3Q Due \$317,582.58

- 1 - Pay Service includes all Pay Channels and Pay Per View Movie/Event revenue.
2 - Other Revenue includes converter, remote, installation, TV Guide,
wire maintenance and other misc. billing adjustments.

(If you have any questions regarding this payment, please call Mark Reanud at 603-695-1468).

Authorized Comcast Representative:

Mark J. Reanud

Date: 10/12/06

FORM B : COPY FOR TOWN (SUMMARY)

D

SYSTEM NAME: COMCAST OF NEW ENGLAND

FRANCHISE NAME: CITY OF MANCHESTER, NH

PAID TO: CITY OF MANCHESTER

TERM: 2006 QUARTERLY

OCT 26 2006

Type	REVENUE Category	JUL 06	AUG 06	SEP 06	Total 3rd Qtr
Service	Basic Revenue	\$ 1,497,950.19	\$ 1,489,113.96	\$ 1,490,911.00	\$ 4,477,975.15
Service	Premium / Pay Revenue	\$ 258,663.03	\$ 298,208.30	\$ 276,365.85	\$ 833,237.18
Service	Other Revenue	\$ 175,882.51	\$ 180,554.58	\$ 185,940.90	\$ 542,377.99
Service	Digital Revenue	\$ 209,613.85	\$ 210,487.49	\$ 215,688.23	\$ 635,789.57
Service	Late Fee Revenue	\$ 8,665.19	\$ 9,011.70	\$ 8,598.20	\$ 26,275.09
SUB TOTAL SUBSCRIBER REVENUE		\$ 2,150,774.77	\$ 2,187,376.03	\$ 2,177,504.18	\$ 6,515,654.98
Non Service	Home Shopping Network	\$ -	\$ -	\$ -	\$ -
Non Service	Advertising Revenue (Local)	\$ -	\$ -	\$ -	\$ -
Non Service	Advertising Revenue (National)	\$ -	\$ -	\$ -	\$ -
Non Service	Advertising Revenue (Regional)	\$ -	\$ -	\$ -	\$ -
Non Service	Leased Access Revenue	\$ 11,535.54	\$ 6,925.56	\$ 8,477.31	\$ 26,938.41
Non Service	Bad Debt	\$ (60,314.85)	\$ (67,764.21)	\$ (62,862.66)	\$ (190,941.72)
SUB TOTAL NON SUBSCRIBER REVENUE		\$ (48,779.30)	\$ (60,838.65)	\$ (54,385.35)	\$ (164,003.31)
TOTAL REVENUE		\$ 2,101,995.47	\$ 2,126,537.38	\$ 2,123,118.83	\$ 6,351,651.67
FRANCHISE FEE %		5.00%	5.00%	5.00%	5.00%
LOB 01	Cable franchise fee	\$ 107,538.74	\$ 109,368.80	\$ 108,875.21	\$ 325,782.75
LOB 36	Ad sales franchise fee	\$ (2,438.97)	\$ (3,041.93)	\$ (2,719.27)	\$ (8,200.17)
	Fee on Fee	\$ -	\$ -	\$ -	\$ -
	Less: \$0.15/Sub/Mnth	\$ -	\$ -	\$ -	\$ -
TOTAL FRANCHISE FEE DUE		\$ 105,099.77	\$ 106,326.87	\$ 106,155.94	\$ 317,582.58

FORM A : COPY FOR TOWN (DETAIL)

11

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has accepted the City's Monthly Financial Statements (unaudited) for the four months ended October 31, 2006 for FY2007 and is forwarding same to the Board for informational purposes.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to Mayor and Aldermen.)

(Unanimous vote)

Respectfully submitted,



Clerk of Committee

E

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has accepted the following Finance Department reports:

- a) department legend;
- b) open invoice report over 90 days by fund;
- c) open invoice report all invoices for interdepartmental billings only;
- d) open invoice report all invoices due from the School Department only;
- e) listing of invoices submitted to City Solicitor for legal determination; and
- f) accounts receivable summary.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to Mayor and Aldermen.)

(Unanimous vote)

Respectfully submitted,



Clerk of Committee



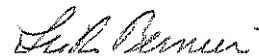
To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has accepted a summary of CIP project balances as of September 30, 2006 and is forwarding same to the Board for informational purposes.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to Mayor and Aldermen.)

(Unanimous vote)

Respectfully submitted,



Clerk of Committee



To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Accounts, Enrollment and Revenue Administration respectfully recommends, after due and careful consideration, that the 1st quarter FY2007 write off list for the accounts receivable module be approved as amended in Committee by adjusting the Fire Department total downward by \$1,640.

(Unanimous vote)

Respectfully submitted,



Clerk of Committee

H



City of Manchester
Department of Finance

One City Hall Plaza
Manchester, New Hampshire 03101
(603) 624-6460
Fax: (603) 624-6549

November 14, 2006

Committee on Accounts, Enrollment and Revenue Administration
C/O Mr. Leo Bernier, City Clerk
One City Hall Plaza
Manchester NH 03101

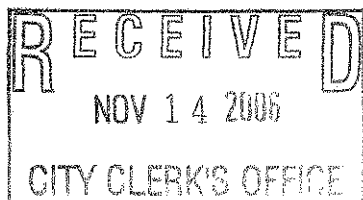
Dear Honorable Committee Members,

Attached is the 1st quarter fiscal year 2007 write off list for the Accounts Receivable module. Most of these items have already been sent to collections and have been determined to be uncollectable. We request authorization to write these receivables off.

Please let me know if you have any questions or require further information.

Respectfully submitted,

Sharon Wickens
Financial Analyst II
Enc.



H

Department of Finance
Accounts Receivable
1st Quarter FY07
Write Off Submission

Dept	Customer Name	Cust #	Invoice #	Invoice Date	Original Amount	Open Amount	Sent to CCS Collections	Acct Closed by CCS	CCS Reason Acct Closed	Explanation
hwy	Earsel L. Pride	10061	9867157	6/30/2005	63.23	5.23	11/22/05	06/28/06	AEX	All efforts exhausted after full service recovery program. Unable to collect total portion of collection fees.
hwy	David E. Basinow	10319	9871382	11/28/2005	53.00	53.00	03/10/06	07/16/06	USA	Invalid phone number and address; responsible party could not be located
hwy	James A. Cann	10156	9868825	8/29/2005	97.50	97.50	01/09/06	07/31/06	AEX	All efforts exhausted after full service recovery program.
hwy	Green Effects Irrigation	10239	9869792	10/3/2005	78.00	78.00	01/09/06	07/31/06	AEX	All efforts exhausted after full service recovery program.
hwy	Edmund Cutting III	6684	9869781	10/3/2005	88.50	88.50	02/07/06	07/31/06	AEX	All efforts exhausted after full service recovery program.
hwy	Albert J. Nault III	10340	9872069	12/5/2005	61.50	61.50	04/10/06	09/08/06	AEX	All efforts exhausted after full service recovery program.
hwy	Wooden Concepts Unlimited	10341	9872088	12/5/2005	111.00	111.00	04/10/06	09/23/06	AEX	All efforts exhausted after full service recovery program.
fire	New Beginnings Child Ctr	14	9872756	1/3/2006	480.00	480.00	03/10/06	07/12/06	AEX	All efforts exhausted after full service recovery program.
fire	Robert Hagopian	9831	9873330	1/3/2006	480.00	480.00	05/22/06	07/12/06	USA	Invalid phone number and address; responsible party could not be located
fire	Fair Deal Enterprises	9475	9873317	1/3/2006	480.00	480.00	05/16/06	09/27/06	AEX	All efforts exhausted after full service recovery program.
fire	Fair Deal Enterprises	9475	9874720	2/24/2006	200.00	200.00	06/27/06	09/27/06	AEX	All efforts exhausted after full service recovery program.
parks	Dana Westover	9363	9858658	9/30/2004	120.00	120.00	04/10/06	08/31/06	AEX	All efforts exhausted after full service recovery program.
parks	Matthew C. Covey	8596	9851672	1/30/2004	45.00	45.00	04/10/06	08/12/06	USA	Invalid phone number and address; responsible party could not be located
parks	Matthew C. Covey	8596	9851673	1/30/2004	50.00	50.00	04/10/06	08/12/06	USA	Invalid phone number and address; responsible party could not be located
parks	Judith White	10058	9867120	6/30/2005	430.00	430.00	04/10/06	09/23/06	AEX	All efforts exhausted after full service recovery program.
parks	Karen L. Reed	9749	9862980	2/1/2005	52.00	52.00	04/10/06	09/19/06	AEX	All efforts exhausted after full service recovery program.
police	R E Jenkins Construction	4564	9873438	1/4/2006	439.46	73.15	05/26/06	07/28/06	SIF	All efforts exhausted after full service recovery program. Unable to collect total portion of collection fees.
police	R E Jenkins Construction	4564	9874858	3/7/2006	159.80	159.80	05/26/06	07/28/06	SIF	All efforts exhausted after full service recovery program. Unable to collect total portion of collection fees.
police	Jillian Boynton	7488	9835672	8/7/2002	75.00	75.00				Old receivable - NSF check never submitted to collection agency - at this point statute of limitations would be expired
police	Area Contractors	7826	9867240	7/10/2005	235.02	235.02	01/20/06	07/12/06	AEX	All efforts exhausted after full service recovery program.
police	Area Contractors	7826	9866273	6/7/2005	391.70	391.70	01/20/06	07/15/06	AEX	All efforts exhausted after full service recovery program.
police	Omega Entertainment, LLC	7495	9870608	11/1/2005	29.97	29.97	06/05/06	08/24/06	AEX	All efforts exhausted after full service recovery program.
police	Omega Entertainment, LLC	7495	9873447	1/4/2006	89.90	89.90	06/05/06	08/24/06	AEX	All efforts exhausted after full service recovery program.
police	Omega Entertainment, LLC	7495	9874262	2/13/2006	29.97	29.97	06/05/06	08/24/06	AEX	All efforts exhausted after full service recovery program.
traffic	Stephen Duma	8493	9849458	12/8/2003	411.38	411.38	02/24/06	07/15/06	AEX	All efforts exhausted after full service recovery program.
traffic	Rogelio Fernandez	9741	9866903	6/21/2005	45.00	45.00	02/24/06	07/10/06	USA	Invalid phone number and address; responsible party could not be located
traffic	Rogelio Fernandez	9741	9866002	5/19/2005	45.00	45.00	02/24/06	07/10/06	USA	Invalid phone number and address; responsible party could not be located
traffic	Rogelio Fernandez	9741	9865169	4/20/2005	45.00	45.00	02/24/06	07/10/06	USA	Invalid phone number and address; responsible party could not be located
traffic	Rogelio Fernandez	9741	9864388	3/22/2005	45.00	45.00	02/24/06	07/10/06	USA	Invalid phone number and address; responsible party could not be located
traffic	Robert Johnson	9765	9866908	6/21/2005	45.00	45.00	02/24/06	07/10/06	USA	Invalid phone number and address; responsible party could not be located
traffic	Robert Johnson	9765	9866007	5/19/2005	45.00	45.00	02/24/06	07/10/06	USA	Invalid phone number and address; responsible party could not be located
traffic	Robert Johnson	9765	9865174	4/20/2005	45.00	45.00	02/24/06	07/10/06	USA	Invalid phone number and address; responsible party could not be located
traffic	Robert Johnson	9765	9864393	3/22/2005	45.00	45.00	02/24/06	07/10/06	USA	Invalid phone number and address; responsible party could not be located
traffic	Janice Pratte	9603	9867789	7/22/2005	40.00	1.80	02/24/06	08/15/06	AEX	All efforts exhausted after full service recovery program.
traffic	Janice Pratte	9603	9868623	8/22/2005	40.00	40.00	02/24/06	08/15/06	AEX	All efforts exhausted after full service recovery program.
traffic	Janice Pratte	9603	9869485	9/20/2005	40.00	40.00	02/24/06	08/15/06	AEX	All efforts exhausted after full service recovery program.
traffic	Janice Pratte	9603	9870334	10/20/2005	40.00	40.00	02/24/06	08/15/06	AEX	All efforts exhausted after full service recovery program.
traffic	Haley's Metal Shop	9880	9868649	8/22/2006	45.00	30.76	02/24/06	08/24/06	AEX	All efforts exhausted after full service recovery program.
traffic	Threads Keywest	9911	9867824	7/22/2005	45.00	45.00	02/24/06	08/29/06	AEX	All efforts exhausted after full service recovery program.
traffic	Threads Keywest	9911	9868657	8/22/2005	45.00	45.00	02/24/06	08/29/06	AEX	All efforts exhausted after full service recovery program.
traffic	Threads Keywest	9911	9869522	9/20/2005	45.00	45.00	02/24/06	08/29/06	AEX	All efforts exhausted after full service recovery program.
traffic	Threads Keywest	9911	9870370	10/20/2005	45.00	45.00	02/24/06	08/29/06	AEX	All efforts exhausted after full service recovery program.
traffic	Threads Keywest	9911	9871334	11/23/2005	45.00	45.00	02/24/06	08/29/06	AEX	All efforts exhausted after full service recovery program.
traffic	Threads Keywest	9911	9872560	12/22/2005	45.00	45.00	02/24/06	08/29/06	AEX	All efforts exhausted after full service recovery program.
traffic	Threads Keywest	9911	9873892	1/20/2006	45.00	45.00	02/24/06	08/29/06	AEX	All efforts exhausted after full service recovery program.
traffic	Joshua Bosse	8556	9851608	1/28/2004	191.91	191.91	02/24/06	09/19/06	AEX	All efforts exhausted after full service recovery program.
traffic	Patricia Jefferson	9803	9868915	6/21/2005	40.00	40.00	02/24/06	09/27/06	AEX	All efforts exhausted after full service recovery program.
traffic	Patricia Jefferson	9803	9868014	5/19/2005	40.00	40.00	02/24/06	09/27/06	AEX	All efforts exhausted after full service recovery program.
traffic	Patricia Jefferson	9803	9865181	4/20/2005	40.00	40.00	02/24/06	09/27/06	AEX	All efforts exhausted after full service recovery program.
traffic	Matthew Rushton	9859	9866923	6/21/2005	70.00	70.00	02/24/06	09/27/06	AEX	All efforts exhausted after full service recovery program.
traffic	Matthew Rushton	9859	9866023	5/19/2005	70.00	70.00	02/24/06	09/27/06	AEX	All efforts exhausted after full service recovery program.

Department of Finance
Accounts Receivable
1st Quarter FY07
Write Off Submission

Dept	Customer Name	Cust #	Invoice #	Invoice Date	Original Amount	Open Amount	Sent to CCS Collections	Acct Closed by CCS	CCS Reason	Explanation
traffic	Gregory Gosselin	9808	9863870	3/8/2005	719.70	719.70	02/24/06	07/28/06	USA	Invalid phone number and address; responsible party could not be located

\$6,326.79

AEX - All Efforts Exhausted
SIF - Settled in Full
JSA - Unserviceable Address/Invalid Phone Number

11

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has accepted the current audit report submitted by the Independent City Auditor as enclosed herein.

(Unanimous vote)

Respectfully submitted,

Paul Bernier

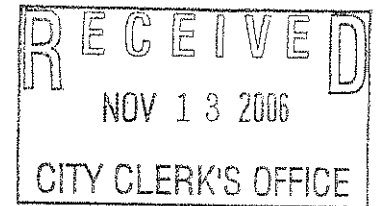
Clerk of Committee

T



City of Manchester
Office of the Independent Auditor

One City Hall Plaza, West Wing
Manchester, New Hampshire 03101
Phone: (603) 624-6523
Fax: (603) 624-6528



November 13, 2006

Committee on Accounts, Enrollment and Revenue Administration
C/o Mr. Leo Bernier
City Clerk
One City Hall Plaza
Manchester, NH 03101

Dear Honorable Committee Members,

The status of current audits is as follows:

Traffic Department

Performance completed June 2006. Report presented tonight

Finance Department-Treasury

Internal Controls examination and evaluation. Fieldwork completed. Currently writing report

EPD

Financial and Compliance audit currently in planning stage.

Future Planned Audits

Police Department

Respectfully Submitted,

Kevin M. Buckley
Independent City Auditor

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INTERNAL AUDIT REPORT

CITY OF MANCHESTER

NEW HAMPSHIRE



*Traffic Department Performance Audit
June 2006*

Prepared by
City of Manchester, NH
Office of the Independent Auditor

I

**INTERNAL AUDIT REPORT
CITY OF MANCHESTER, NEW HAMPSHIRE
TRAFFIC DEPARTMENT PERFORMANCE AUDIT
JUNE 2006**

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City of Manchester
Office of the Independent City Auditor

One City Hall Plaza
Manchester, New Hampshire 03101
Phone: (603) 624-6460
Fax: (603) 624-6549

*Committee on Accounts, Enrollment and Revenue Administration
City of Manchester, New Hampshire
Honorable Aldermen: Pinard, Osborne, Devries, Long and Thibault*

Dear Honorable Committee Members:

At the January of 2005 meeting of the Committee on Accounts, Enrollment and Revenue Administration, an audit plan was accepted by the Committee. The plan was based on risk of the auditees and is adjusted annually for changes happening at the Departments. Due to the retirement of the Traffic Department's Director the audit of the Traffic Department was selected for a performance audit. A performance audit systematically examines evidence to independently assess the performance and management of a program against objective criteria. Performance audits provide information to improve program operations and facilitate decision-making.

The audit studied the efficiency and effectiveness of operations at the Traffic Department and looked at information from July of 2003 to December of 2005.

The audit procedures began with a documentation and evaluation of the internal control structure in place during the audit period. The audit also looked at State and City laws and regulations in force during the audit period. Department Personnel were interviewed, as were personnel from other communities and departments. An analysis was done on the workload and efficiency over the different activities at the department and effectiveness of the activities to meet department goals.

Conclusion

The audit revealed eight reportable conditions. Observations 2, 3, and 5 concern issues with the internal control system that reduces the ability of the department to detect errors and irregularities in a timely manner. The remainder of the observations reveals possible inefficiencies in procedures at the department that should be addressed in order to improve services or reduce costs.

In general the department has achieved the goals to support its mission within the City government with a minimal staff and within budgetary constraints. Parking revenues have only decreased slightly despite the sale of revenue producing assets. Expenditures have decreased overall due to the sale of the assets as mentioned above and have generally been well managed in other areas. Of particular note is a large decrease in utility expenses due to an energy conservation program in the department.

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The draft audit report was sent to the Traffic Department for review and comment. The observations generated and the auditee written responses are included on pages five through twenty-four. The auditee responses indicate general agreement with the report recommendations and states that corrective action will or have been taken. This audit was done under some adverse conditions at the department due to the reorganization that was taking place during fieldwork and I appreciate the courtesy and cooperation of the staff and administration of the Traffic Department on this assignment. At all times they acted in the highest professional manner throughout the course of the audit.



Kevin M, Buckley CPA
Independent City Auditor

June 7, 2006

INTRODUCTION

AUDIT BACKGROUND

At the January of 2005 meeting of the Committee on Accounts, Enrollment and Revenue Administration, an audit plan was accepted by the Committee. The plan was based on risk of the auditees and is adjusted annually for changes happening at the Departments. Due to the retirement of the Traffic Department's Director, the audit of the Traffic Department was selected for a performance audit. The Independent City Auditor of the City of Manchester has been designated by state law, city charter and local ordinance with the authority to conduct such examinations and audits.

My audit was conducted in accordance with standards applicable to performance audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

AUDIT SCOPE AND OBJECTIVES

This audit was a performance audit designed to report on efficiencies in the design and operation of the Traffic Department.

I looked at financial and performance data where available for fiscal years 2003, 2004, 2005 and the first six months of fiscal year 2006. Where appropriate data was collected and analyzed on a calendar year basis in order to more accurately reflect seasonal activity. Areas selected for examination were:

- Administration and Management
- Vehicle Usage
- Pavement Marking
- Traffic Signalization Repair and Maintenance
- Parking Meter Repair and Maintenance

Issues related to the City owned garages, parking lots and street parking were discussed in a recent report of the Downtown Manchester Parking Study performed by the Lansing Melbourne Group and were excluded from testing here.

The results of my testing and the related observations and recommendations are included in the report that follows.

BACKGROUND OF AUDITEES

Mission Statement

The Traffic Department reviews, measures and recommends ordinances to regulate parking and traffic for adoption in accordance with all Federal, State and City laws and as directed by the Board of Mayor and Aldermen.

The Traffic Department Installs and Maintains all traffic control devises in the City for the safety of the general public as requested by the Board of Mayor and Aldermen, Federal and State agencies and all measures are taken to minimize pollution sources by changing to non pollution materials when possible. Pollution prevention is emphasized during yearly training. Recycling of materials is of primary importance.

SOURCE: Traffic Department web site.

Organization and Personnel

The Traffic Department, created in 1969, is a department of the City of Manchester and is accounted for in the General Fund of the City.

The Traffic Department consists of four main functional areas, Administration and Management, Signs, Signals and Meters. The duties and personnel of the four main functional areas are:

Administration and Management consists of the Director (vacant), Deputy Director and one Administrative Services Manager. This office controls the financial and administrative functions for the other 15 employees. The Administrative Services Manager does all the data entry and cash handling duties for the entire department.

Signs consist of 1 supervisor and 6 employees. This division is responsible for painting new street signs, and installing the signs. During the 18 months ended December 31, 2005 the BMA passed 160 ordinances requiring installation or changes to signage and parking meters. They also paint the road markings for the 387 miles of road under control of the City and plow and shovel all surface parking lots and the remaining City owned Garage. Snow removal from the lots is contracted out to a private company.

Signals consist of 1 supervisor and 2 signal technicians. These employees install, repair and maintain all traffic control devises throughout the City. The City has traffic control devises at 151 intersections and flashing beacons at an additional 41 intersections.

Meters consist of one supervisor and a technician. They are responsible for installing, repairing, maintaining and collecting revenue from 2,492 parking meters throughout the City.

All three supervisors are working supervisors who go into the field and perform much of the same functions as the technicians. The work force is very experienced with an average length of City employment of over 20 years.



FINANCIAL ACTIVITY

The Department had actual revenues and expenditures during the fiscal year ended June 30, 2005 of \$4,186,088 and \$3,139,517 respectively.

Revenues

Revenues by Function for Fiscal Years 2003, 2004 and 2005

Description	2003 Actual	2004 Actual	2005 Actual
Parking Meters	\$ 731,713	\$ 734,528	\$ 676,503
Civic Center	426,605	293,007	256,346
Daily Revenue	-0-	37,687	-0-
Daily Revenue Card	-0-	2,060	20
Lease			
Parking Permits	1,423,654	1,640,135	1,725,029
McQuades Leases	(82)	-0-	-0-
Card Lease	485,151	507,089	374,551
Monthly Revenue Lease	838,191	671,506	701,001
Lease	191,468	203,914	217,598
Meter Hood	13,026	16,650	29,237
PARKING	<u>\$ 4,109,726</u>	<u>\$ 4,106,576</u>	<u>\$ 3,980,285</u>
Repair Traffic Signals	2,718	3,996	2,001
Admin			
Repair Traffic Signals	4,875	2,964	7,490
State Traffic	26,508	7,190	25,530
Reimbursement			
Auto Registration -	174	57,447	169,796
Parking			
Salvage	905	994	929
Other Fees	43	258	57
Miscellaneous	10,188	1,660	-0-
Reimbursement			
TOTAL REVENUES	<u>\$ 4,155,137</u>	<u>\$ 4,181,085</u>	<u>\$ 4,186,088</u>

SOURCE: HTE INFYSYS module Budget Summary Reports

Ninety five percent of revenues were derived from parking fees, leases and permits. The remaining five percent was from various reimbursements and auto registration fees. Fees from auto registrations have increased from \$57,477 collected in FY 2004 to 169,796 in FY 2005. This \$2 fee is charged to each automobile registration for the construction, operation and maintenance of parking facilities.

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Expenditures

Expenditures by Function for Fiscal Years 2003, 2004 and 2005

	2003	2004	2005
	Actual	Actual	Actual
Garages	\$ 1,421,075	\$ 1,360,330	\$ 1,292,181
Admin & Mgt	963,075	898,336	899,010
Signs	402,393	521,325	490,338
Signals	249,515	279,689	313,759
Meters	135,694	182,034	144,230
TOTAL	\$ 3,171,752	\$ 3,241,714	\$ 3,139,518

SOURCE: HTE INFYSYS module Budget Summary Reports

The garage expenditures consist of payments to the management companies who run the Center of New Hampshire, Canal Street and Victory Garages and lease payments to Wall Street and Numerica garages for use of parking spaces. Lease payments make up approximately 40% of garage expenditures. The Canal Street Garage was sold in fiscal year 2004 and the Center of New Hampshire Garage was sold in fiscal year 2006.

Garage Expenditures Fiscal Years 2003, 2004 and 2005

	2003	2004	2005
	Actual	Actual	Actual
Wall St Garage	\$ 504,032	\$ 503,717	\$ 481,659
Numerica Garage	30,717	31,191	40,550
CNH Garage	450,544	478,663	471,151
Victory St Garage	221,532	258,155	298,821
Canal St Garage	214,250	88,604	-0-
TOTAL	\$ 1,421,075	\$ 1,360,330	\$ 1,292,181

SOURCE: HTE INFYSYS module Budget Summary Reports

Excluding fees paid to the garages, expenditures consist mostly of salaries and benefits (52%) and contracts (33%). Contracts consist almost entirely of payments to SMG for their share of parking revenues collected during events held at the Verizon Arena.

Of particular note is the significant decrease in utility costs since fiscal year 2001. In FY 2001 electricity costs associated with the Traffic Signal Division totaled \$122,658 and have steadily decreased to \$61,545 during FY 2005. This decrease is due to a very successful energy reduction program where the department replaced high-energy bulbs with low energy LED lights through a rebate program from PSNH.

Expenditures (Excluding Garage and Parking Leases)

Description	2003 Actual	2004 Actual	2005 Actual
Salaries and Benefits	\$ 831,584	\$ 976,786	\$ 1,014,443
Contracts	654,780	559,047	568,162
Construction Material	93,228	187,915	130,179
Utilities	87,984	77,026	66,740
Other Contracted Services	70,339	65,213	44,868
Other Expenses	12,763	15,398	22,944
Total Expenditures	\$ 1,750,678	\$ 1,881,385	\$ 1,847,336

SOURCE: HTE INFYSYS module Budget Summary Reports

OBSERVATION 1 SNOW REMOVAL:

The department is responsible for snow removal from the City's parking lots and garages. It is important that snow be removed from the lots in a timely manner in order to maximize the number of spaces available for customers who lease spaces in the lots. The Department has elected to bid out the snow removal services to a private vendor. The contractor charges an hourly rate to remove the snow. The cost to the City was \$61,633, \$54,695 and \$37,325 for fiscal years 2003, 2004 and 2005 respectively. The Traffic Department lacks the equipment to efficiently remove the snow in a timely manner however, it may be possible to have another department with equipment such as the Highway Department or Parks and Recreation Department remove the snow.

RECOMMENDATION:

The Department should explore the feasibility of using City labor to remove the snow thereby relieving the need to pay an outside vendor for the service.

AUDITEE RESPONSE:

Snow removal operations will be under the new Parking Division 7/1/06 and the new Parking Manager will determine this recommendation.

Capital Assets

The following table shows the capital assets recorded in the HTE Continuing Property Records module at June 30, 2005 that are under the control of the Department.

CAPITAL ASSETS AT JUNE 30, 2005

Buildings	\$ 9,892,097
Equipment	240,436
Improvements	1,853,279
Land	3,012,727
Vehicles	305,043

TOTAL CAPITAL ASSETS	<u>\$ 15,303,582</u>
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SOURCE: HTE Continuing Property Records module

Included in buildings is \$6,609,503 for the Center of NH Garage that the City sold at the end of calendar year 2005. Currently the only buildings that the department controls are the Traffic Department maintenance facility and office and the Victory Garage.

The department is in control of 9 surface parking lots throughout the downtown area. Six lots have parking meters (225 spaces) but the majority of the revenue overall comes from parking leases (1,230 leases). The department also has meters at 2,095 street parking spaces.

The department had 11 vehicles in its fleet, 9 special purpose vehicles and 2 recycled police cruisers used for personnel transportation. While both cruisers were technically pool cars one was assigned to the Director and one to the Deputy Director who were the main users. All vehicles are kept at the Department's garage.

OBSERVATION 2 CAPITAL ASSET RECORD KEEPING:

Each department is responsible for updating the capital asset records in the Continuing Property Records (CPR) module for all capital assets under its control in a timely manner. The only exception to this is that all vehicles are under the control of the Highway Department. The Highway Department is charged with the responsibility for the upkeep of all vehicles in the CPR module. Our testing at the Traffic Department revealed the following errors in the CPR module.

The Canal Street Garage was sold in December of 2003 and the following equipment relating to the garage is still recorded in CPR:

807-000001	Cintac II Main Frame	\$ 8,085
807-000007	Ticket Printer	\$ 5,050
807-000008	Ticket Printer	\$ 5,050

TOTAL CANAL ST GARAGE	<u>\$ 18,185</u>
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At December 31, 2005 there were four vehicles that the Traffic Department had in its fleet that were not in the CPR module:

TR-27	1994 GMC Pickup	\$15,500
TR-31	2000 Ford Stake Body	\$30,700
TR-32	2000 Ford Van	\$16,200
TR-33	2001 Ford 4X4 with Plow	<u>\$27,900</u>

Total not in inventory (est.) \$90,300*

*Cost from these vehicles is an estimate based on similar vehicles in the City's fleet.

The Center of New Hampshire parking Garage was sold in January of 2006. As of April 26, 2006 the garage and associated assets were still in the CPR module and need to be removed prior to the year-end closing.

TOTAL CNH GARAGE \$ 6,644,502

RECOMMENDATION:

The department should establish procedures to ensure that all additions and deletions of capital assets are entered correctly and in a timely manner to the CPR module. Even though entering information regarding vehicles is the responsibility of the Highway Department all departments upon receiving or disposing of vehicles should check the CPR module to ensure that the vehicle transaction had been entered correctly.

AUDITEE RESPONSE:

In defense, Traffic Dept. was kept out of the loop when Canal Garage was sold, and not sure where that equipment ended up. Traffic Dept. will establish procedures to ensure that additions deletions of cap. Assets are entered into CPR module – eff. 7/1/06 – will be Highway responsibility with consolidation.

Consumable Inventory

The department has several rooms of consumable inventory available for its daily usage. Inventories held at the department include paint for road marking, sign blanks, finished signs, parking meters and traffic signals. The dollar value of items in inventory fluctuates throughout the year but is in the thousands of dollars on any given day.

OBSERVATION 3 CONSUMABLE INVENTORY CONTROLS:

The Department maintains an inventory of both sign blanks and finished signs. Periodically a count will be made of all sign blanks and if it is determined that there is a need for more an order will be placed. If the City needs a sign and they do not carry it as a stock sign in the finished inventory a work order will be given to the sign painter who will go to the store room and remove the necessary sign blanks. After painting he puts the finished sign in the finished sign inventory and places the work order in the out box for the employees who install signs. The installers will take the work order to the supervisor who will remove the signs from inventory and give them to the work crew for installation.

The department does not maintain a formal written inventory of blanks or finished signs and does not require that signs be recorded as being put into or taken out of inventory. The only written record is the work orders. This makes it very difficult to analyze the sign making process and determine meaningful performance indicators such as the number of signs installed or number and type of signs painted during a given time period or cost per unit. It also makes it impossible to determine if all signs were used for legitimate City jobs.

Similar problems occur in inventories of paint, parking meters and traffic signals.

RECOMMENDATION:

The Department should formalize procedures for controlling its consumable inventory.

AUDITEE RESPONSE:

The Department will formalize procedures for controlling its consumable inventory

VEHICLE USAGE

The Traffic Department, as of December 31, 2005, had a fleet that consisted of 11 vehicles. The make up of the fleet is as follows:

- 2 sedans used by Administrative Staff for transportation
- 2 vans, 1 used by Meter Division and 1 used for lot clean up
- 1 paint truck with compressors and painting equipment
- 1 bucket truck used to service and install traffic signals and signs
- 1 stake body truck used by the sign crew
- 4 pickups used for various jobs

One of the pickup trucks is stored and used exclusively by the Victory Garage. When the City owned the Canal Street and CNH Garages it was also used at these two garages.

Expenditures and cost per mile were calculated using FY 2005 data in order to examine an entire year of expenditures. For some vehicles it was necessary to use data from part of FY 2006 in order to get a full year of expenditures.

Total operating costs for all vehicles during FY 2005 were \$ 28,075 which includes \$63 spent on a Bob Cat loader and approximately \$900 in fuel used at the Victory Garage for other equipment such as a sweeper, golf cart, snow blower and power washer. Maintenance costs for the fleet was not excessive during the fiscal year tested.

OBSERVATION 4 VEHICLE EFFICIENCY:

All vehicles are special purpose vehicles except the two sedans that are used by administrative office personnel for local transportation. Per mile cost was calculated and compared to the IRS reimbursement rate of 44.5 cents per mile. Neither of the cars used by the Administrative Office appears to cost less to run per mile than the IRS rate. Vehicle TR-35 had a cost of \$.98/mile and TR-36 had a cost of \$.55/mile to operate during FY 2005. Vehicle TR-35 had operating costs alone (fuel and repairs) that exceeded the IRS mileage rate.

The truck that is garaged at the Victory Garage was used less than 1,000 miles in FY 2005 and as such has an extremely high per mile rate and very low utilization.

All other vehicles are special purpose vehicles that appear to be used on a daily basis and did not appear to have excessive maintenance costs during FY 2005.

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RECOMMENDATION:

The truck housed at the Victory Garage does not appear to be needed as it gets very little use except for the occasional snowstorm and should be declared surplus by the department.

It is questionable as to whether either of the cruisers is needed by the department but at the very least the older cruiser that has required excessive maintenance costs should be declared surplus. It does not appear that the department needs more than one vehicle for the office use.

AUDITEE RESPONSE:

The truck housed at the parking garage should be declared surplus from the Traffic Department. The new Parking Division may have a need for it. We agree the office needs one vehicle for office use.

Fuel Usage

The Traffic Department used 8,679 gallons of fuel during FY 2005. The Department fills up its fleet at the Highway Department garage using the Gas Boy system. Under this system each operator is issued a gas card and each vehicle is issued a vehicle card. In order to dispense fuel both cards need to be swiped. This enables the system to record both the vehicle being fueled and the operator doing the fueling. The system has controls that require the operator to enter the odometer or hour usage meter reading prior to dispensing fuel. The use of the cards and entering meter readings are valuable internal controls that enables the system to generate reports used to determine the efficiency of the vehicles and identify vehicles that are too expensive to maintain. It also ensures that only authorized personnel are using the pumps to fuel City vehicles. When used properly monthly reports can show how often a vehicle is being used and by comparing the miles per gallon each month it can detect if an employee is using his/her card to fuel other than City vehicles.

OBSERVATION 5 GAS BOY CONTROLS NOT WORKING:

Out of the 12 vehicles in use during the audit period tested it was noted that 8 of the vehicles did not have odometer readings entered prior to fueling. Upon inquiry it was discovered that the control to require this information has never been used and that no one has been required to enter mileage in order to get fuel. The only vehicles that consistently entered mileage information correctly were the sedans used by the administrative office.

It was also noted that the personnel at the Victory garage have been entering the fuel used for equipment other than the garage truck on the truck's fuel card.

RECOMMENDATION:

The system should be set up to require that mileage be entered prior to dispensing fuel and that the mileage entered meets preset parameters. For example the entered mileage has to be greater than the previous mileage and not any greater than an acceptable range for that vehicle.

All personnel who are authorized to use the system need to be properly trained in the use and importance of entering data correctly.

Separate cards should be issued for gas cans and small engine equipment and fuel for these items should never be entered using a vehicle's card. This card should be under the control of one assigned individual and kept in a secured area when not in use.

AUDITEE RESPONSE:

We have issued separate cards for gas cans and small engine equipment and fuel for these items. This card is under the control of one assigned individual and kept in a secured area when not in use.

We have instructed personnel to enter all data when filling up.

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ADMINISTRATION AND MANAGEMENT

The Traffic Department is a separate department of the City of Manchester with both a Director and Deputy Director. From a search of 5 northern New England cities all had the traffic functions incorporated into the public works department. A quick survey of the National Association of Local Government Auditors members showed 11 of 11 cities responding had the traffic functions as a part of the public works department. One city, Berkeley California had a separate Traffic Department but recently merged them with the public works department in a cost saving maneuver.

The Traffic Department has 5 employees at the supervisor level or higher. Management consists of a Director, a Deputy Director and three supervisors. All three supervisors are working supervisors who, in addition to supervisory duties, perform job duties alongside the employees they supervise.

The Maintenance Supervisor in the Signs division is in-charge of 6 employees and his duties include signage, pavement marking and parking lot maintenance.

The Signal supervisor is in-charge of 2 workers and controls the work of maintaining and repair of the 151 intersection signals.

The Meter supervisor is in-charge of 1 employee and controls the collection, repair and maintenance of parking Meters.

OBSERVATION 6 HIGH RATIO OF SUPERVISORY EMPLOYEES:

The Meter Supervisor appears to mostly work at the collecting, repair and maintenance of parking meters and performs little supervisory duties. The Meter Post Supervisor formerly was also responsible for the counting and preparation of the coin deposit. Currently the collected coins are picked up from the office by an armored car service and counted at the bank.

The ratio of supervisory level to technical and support employees is 1 supervisory level employee to every 2.2 support and technical employees. Of all departments in the City, Traffic has one of the lowest ratios. This is partially due to the low number of employees. The department is the 12th smallest (out of 25) departments in the City.

RECOMMENDATION:

With the upcoming realignment of the Department it is recommended that the City look at the necessity of the number of supervisors used in the department. It does not appear to be necessary to have both a Director and Deputy Director in a department with so few employees and relative simplicity of operations. The supervisory function for the parking division should rest with the new head of the division who can manage both the parking garage and the meter technicians.



AUDITEE RESPONSE:

The Traffic Department is consolidated under Highway Department 7/1/06 and Director and Deputy Director positions have been eliminated. Parking Meter supervisor position has been downgraded to Parking Meter Technician and has been transferred to new Parking division under MEDO.

A handwritten signature consisting of a stylized 'I' with horizontal strokes at the top and bottom.

PARKING METERS

The two employees of the Meter section are charged with the collection, maintenance and repair of the city's 2,492 parking meters. The City has 1,171 2-hour meters and 1,321 10-hour meters. On average the coins from the meters are collected weekly. Some routes such as the Millyard, where most parking is by permit, the collections are less frequent. The meters have a plastic coin container that connects to and empties into the collection cart. The employee does not come into contact with the coins during the collection process. The collection cart is brought into a secured coin room, which is always locked and has security cameras that constantly monitor the room. The coins are put into heavy gauge plastic collection bags for pick up by an armored car service. The bank counts the coins and notifies the business office of the amount of the daily collection.

The meters require regular cleaning, lubing and battery replacement. Batteries are replaced when they go bad and cleaning and lubing is done annually.

Complaints concerning broken or malfunctioning meters are received in the office and a complaint sheet is filled out and given to the technicians. The technicians then go into the field to fix or replace the meter.

A majority of broken meter calls are from citizens who have been ticketed and are disputing the ticket due to the meter not working properly or from the enforcement officers who have noticed the malfunctioning meter. All meters are older electronic meters. A majority of these meters only take quarters, the exception being the meters on Elm Street. When other coins are used the meter will take the coin but not register the transaction. The person who is parking will call claiming that the meter is not working. There are also many meters that get jammed with foreign objects and batteries that go dead. When a battery goes dead the meter will still accept coins but will not register the time. As the battery gets low the meter will start to not register some transactions but will work fine when they are checked. Other than a jammed meter the meter will still be available to accept coins.

When the meter technicians get the daily repair log they will check the meter and note the date the complaint was fixed and the outcome of the inspections. Outcomes fall into 5 categories:

- **REPLACED BATTERY** – The technician either found the battery to be dead or had been giving a low battery signal and had complaints of not recording a transaction.
- **JAMMED METER** – Foreign object lodged in the coin slot and meter is inoperable. In most cases the technician can clear the object but some cases require that the meter be replaced.
- **REPLACE METER** – Meter is inoperable and cannot be repaired in the field or has had several complaints and all efforts to repair have not worked. In most cases the meter is still receiving coins but recording the transaction.
- **RESET METER** – Sometimes a meter will have a temporary problem and will show an error light on the display. After the error the meter may continue to work so the technician will hit the reset button to clear the error light.
- **METER OPERATIONAL** – When the technician checked the meter they could not find a problem. Quite often this is due to using nickels and dimes or Canadian coins in a meter that takes only quarters.

It is the Division's goal to address all complaints within one business day. The technicians collect coins during the morning and after the armored car service picks up the coins they spend the afternoon clearing complaints. In most cases they will take the previous days complaint log and fix all the complaints during the afternoon shift. If a log sheet from the current day is full by the time the armored car service picks up the day's collections, they will take that complaint sheet and clear the complaints the same afternoon. All logs from Police and the Ordinance Violation Bureau are received the morning after they are recorded by the officers and cleared the same afternoon they are received.

From all complaints reported during calendar year 2005 a spreadsheet was developed to analyze the types of problems and the number of business days required to clear the complaint. There were 3,676 complaints recorded during the audited period as shown in the following table.

Condition	# of Complaints
Replaced Battery	1,369
Cleared Jammed Meter	478
Replaced Meter	331
Meter Operational	1,252
Reset Meter	448
TOTAL	3,878

SOURCE: Complaint Sheets - Note numbers includes 202 duplicate complaints

The average time to clear a complaint during the audited period was 1.37 business days. March was the month that had the longest time to clear of 2.85 business days due to vacation time taken by the technicians. The jammed meters, which are the ones not accepting coins took an average of 1.49 business days to clear and consisted of 444 unique complaints.

The following table shows the percent of meters fixed at various time intervals.

DAYS TO FIX	PERCENT OF COMPLAINTS
Same Day	6.91%
Next Day	69.56%
Third Day	13.52%
Fourth Day	4.95%
5 to 11 Days	5.06%

The division had a success rate of clearing the complaint within one business day of 76.47% of the time and within 2 business days of 89.99% of the time.

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Cost of Idle Meters

While all meters in the City are electronic digital meters they are of an older style. As noted in the Lansing – Melbourne Group November 14, 2005 parking study, the single space meters should be replaced with newer multispace or pay and display meters.

The newer meters are GIS based and can report wirelessly to the Parking Office computer when they are full of money and need to be emptied or are not working for whatever reason. At the point that a meter goes off line a technician can immediately be dispatched to fix the problem. This would also give the Parking Office real time information on the collection and occupancy of every parking space in the city. Such information would greatly enhance the ability of the City to make informed decisions on the effectiveness of every parking space. These meters can also minimize the amount of time a meter is not operating thereby maximizing revenues.

Because of the limitation of the system it was not possible to determine an estimate of the amount of lost revenue by meter. In order to determine the approximate lost revenue due to non-working meters the average collection per meter per business day was calculated. First the total amount of revenue collected for all meters during fiscal year 2005 (\$739,246) was divided by 250 working days to arrive at \$2,957 collected per day for all meters. The City had 2,492 meters in operation during this time, which calculates to an average of \$1.19 per meter, per business day during fiscal year.

For the analysis every jammed meter and meter that needed to be replaced was assumed to be in a condition that prevented it from accepting coins. Analysis of the complaint logs determined that from these types of conditions 1,092 meter days of potential collections were lost. This translates into approximately \$1,300 of lost revenue during the year. This figure is most likely low due to the following reasons:

- Some of the other conditions such as replaced battery would have resulted in lost revenue. Even though the meter would still receive coins it is unlikely that coins would be added after it was noticed that the display was not recording the time.
- Meters in areas that get the most activity are the most likely to malfunction. They would also have a daily collection rate greater than the \$1.19 per day average.

The newer meters as noted in the parking study could record the out of service time for each parking space thereby giving a more accurate accounting of possible lost revenue and act as a useful performance indicator for the Parking Office.

TRAFFIC SIGNALS

The traffic signals section is operated by a supervisor and two signal technicians. One technician has been out on sick leave for much of the past couple of years. These three people are responsible for the installation, repair and maintenance of all electronic traffic control devices throughout the city. Currently the City has 151 intersection signals, 34 Flashing beacons, 14 school zone flashers and is also responsible for the lighting in 7 municipal parking lots. All three employees are certified electricians.

In addition to these duties they on occasion assist with putting up holiday decorations/lighting and changing streetlights.

The traffic signals can be controlled and synchronized from a computer in the office. If a signal has a problem it will send a message to the computer. In order to get the message however a technician has to have the computer set to that intersection and be monitoring it. No audio alarm or break in message is sent to the screen. Most problems are detected from citizens who are passing through the intersection and call in. The department receives about 2 to 3 trouble slips per day on average.

Maintenance

Annual Maintenance is essential for proper functioning of the system. They try to get to each intersection at least once per year to perform maintenance but due to having so few personnel and the medical problem of one employee, it has been very difficult. They feel that the lack of annual maintenance may be causing a higher rate of failures than should be occurring.

Testing revealed that the average maintenance time spent at each flashing beacon was 20 minutes and at each signal intersection was 55 minutes using 2 technicians. Our testing revealed that approximately 8% of the signals did not receive maintenance during the calendar year.

OBSERVATION 7 TRAFFIC SIGNAL TECHNICIANS:

According to the *Traffic Signal Installation and Maintenance Manual* the suggested ratio of traffic signal technicians needed to properly maintain and repair traffic signaling devices is 1 technician for every 31 traffic lights. The City of Manchester maintains 151 traffic signals. In order to adhere to the suggested ration the Department would need 4.9 full time equivalents. The department currently employs three technicians to perform this function. In recent years one of the technicians has been ill and out on leave for long periods of time. While they try to perform annual maintenance to every signal it has not always been possible. In addition to maintenance the technicians are currently receiving 2 to 3 trouble slips per day that they have to take care of. The large amount of trouble slips might be reduced with more timely maintenance.

RECOMMENDATION:

The department should consider hiring an additional technician to help perform the maintenance. They should also track the amount and type of trouble slips received to ensure that the added cost of adding a new position is resulting in a reduction in system failures.

AUDITEE RESPONSE:

There is a hiring freeze on, and the Mayor needs to authorize the creation of a new position.

If a position is approved, we will track the amount and type of trouble slips received to ensure that the added cost of adding a new position is resulting in a reduction in system failures.

Repairs

A quick response to a traffic signal failure is important to the public's safety. The department always has an employee in "on call" status during off business hours to handle problems that may occur at nights, weekends and holidays. To test the efficiency of reacting to signal failures a sample of intersections was selected and all call slips for the year were analyzed. The sample of 19 signalized intersections was selected. The 19 signals had 51 call slips for a rate of 2.7 incidents per signal in our sample. Forty-six of the fifty-one calls were responded to in less than one hour (90%). The average time to respond was approximately 30 minutes. The average time to complete the work and get the signal operating was 1 hour and 25 minutes from the time the call was received.



PAVEMENT MARKING

The Traffic Department's goal is to paint all lines in the City annually. The painting season runs from when the paint order comes in (usually March or April) until the snow starts in November or December.

The department has a double-tank line truck for painting "long lines" and a three small hand spray painters for use in painting other road markings such as crosswalks and stencils.

In addition to painting the road markings the crew is responsible for painting and installing road signs, new parking meter installation, parking lot snow removal and parking lot maintenance.

Road Signs

Annually a road sign survey is done to determine which signs need to be replaced. Severely faded signs or signs that are no longer needed are brought back to the shop and stripped down for repainting. The sign shop also paints its own special order signs from a stock of sign blanks. They also paint in-house a majority of regularly needed road signs such as "no parking" signs. They will order preprinted signs if they are less expensive than signs made in-house.

Most sign requests are a result of Board of Mayor and Aldermen action. During the 18 months between July 1, 2004 and December 31, 2005 the BMA passed ordinances requiring the installation of road signs 160 times. This included 109 parking regulation ordinances, 37 stop sign regulations and 14 other regulations requiring the installation of signage or road markings.

Pavement Markings

The City of Manchester is responsible for the maintenance of the following streets:

TYPE	DESCRIPTION	LINEAR MILES	LINEAR FEET
Class IV	Urban Compact	348.68	1,841,030
Class V	Town or City Roads	38.27	202,066
Class VI	Discontinued	.49	2,587
TOTALS		387.44	2,045,683

SOURCE: City of Manchester Highway Department

The 2 million linear feet of streets are lined in sections. A section can be from a hundred feet to over one thousand feet. Some sections have several types of lines per linear foot such as a double yellow centerline, two white lane lines and two white edge lines. All long lines are painted by the paint crew using the single painting truck. The following table shows the type of line and number of segments painted.

TYPE OF LINE	# OF SECTIONS
Centerline	458
Broken Yellow	2
Broken White plus Lanes	13
Broken White	22
White Lanes	213
Lane Lines	8
Edge Lines	39
TOTAL	755

SOURCE: Traffic Department Street Marking Reports

One hundred thirty nine of the sections are on State roads that the City gets partial reimbursement for and the remaining six hundred and sixteen segments are City road sections.

In addition to the street lining the Department paints the following various stencils and markings using a smaller crew and hand spray painters. The Department has three such painters. The number of parking stalls are painted in 87 sections that may contain a few stalls to a complete parking lot.

Parking Stalls	6,882
Islands	74
Arrow Stencils	1,231
"ONLY" Stencils	292
"STOP" Stencils	144
"SCHOOL" Stencils	96
Crosswalks	1,132
Stop Bars	1,216

SOURCE: Traffic Department Street Marking Reports

The Department does not accumulate performance information as a part of its normal operating procedures. In order to calculate the cost of street marking in a manner that makes it comparable to bid prices per outside vendors, costs need to be converted to cost per foot of painted line. The majority of road markings are on City owned roads and the cost and linear foot information is not accumulated by the department. They do however mark a certain amount of roads that are owned by the State of NH and must collect this information in order to seek reimbursement from the State. The State will take the costs from all communities seeking reimbursement and allocate the amount appropriated by the State Legislature based on each community's pro rata share. The amount reimbursed is always less then the amount applied for.

The City has broken the streets into sections. All sections that are eligible for State reimbursement have been measured. When a crew works on a state section they record their time on a work sheet and turn it into the office. The amount of paint and beads used is calculated based on the length of the line painted. The department has developed a formula of the average amount of paint and beads used to paint a linear foot of line. The work sheets are attached to a request for payment for reimbursement from the State. As of May 3, 2006 the State has still not reimbursed the City for painting done in Calendar year 2005. The request for payment was submitted March 2, 2006.

In CY 2005 the City painted 313,308 linear feet of State reimbursable line striping and used 298 man-hours of labor to accomplish the painting. Total direct costs were; \$1,962 of direct vehicle costs, \$6,826 of paint and reflective beads, \$7,072 labor and benefits, \$1,700 of vehicle depreciation, \$3,683 of administration fee. Administration fee is calculated as 22% of direct costs. Total cost was \$21,243 or \$0.068 per linear foot. Based on this the cost to paint the entire 2.043 million linear feet of road would be approximately \$138,934. The City billed the State about \$.04 per linear foot. The difference between the two rates is the vehicle costs, which are not included in the State reimbursement request.

The City also applied for reimbursement for other pavement markings. Markings are converted to linear feet for billing purposes. The cost for direct expenses per linear foot for other markings were \$.17 for stencils, \$.09 for stalls, \$.10 for islands. The audit analysis has determined that stencil items averaged around \$14 per stencil to paint.

OTHER COMMUNITIES

I sent out a request to other communities on the National Association of Local Government Auditors Listserv and the following community replied:

Naperville IL \$.33/linear foot, \$3.50/sq. ft for stencils

Other NH communities who responded to an inquiry for information were:

Concord, NH \$.045/Linear foot, \$35 to \$50 per stencil. The City chose an option to have lines painted using paint purchased by the City from the State bid. The cost was \$.011 per linear foot for the labor. According to the Traffic Department's records paint costs were around \$.022 per linear foot so total cost would have been around \$.033 per linear foot.

Per the Highway Department the City of Nashua received a bid of \$.053/Linear foot for calendar year 2006 based on painting 1,000,000 linear feet of lines. The cost for calendar year 2005 was .0315 per linear foot.

Because the department uses latex based paint they should repaint all lines and markings every year and this is the goal of the department. Painting, however, can only be done when the roads are dry and the temperature will be sustained above 50 degrees until the paint dries. This means that the painting season is usually from late April through early November.

During calendar year 2005 the painting crew was out from March 23 to December 5. During this period they painted a total of 132 days. During this time crews worked 8 Sundays, 10 Saturdays and 12 nights accumulating 212 hours of over time and 2,834 regular hours.

Line Painting is broken down into 755 segments of varying lengths. In CY 2005 the department was able to paint 511 segments (68%). Of the lines not painted in CY 2005, 204 (27%) were painted in CY 2004 and the remaining 4 segments were painted in CY 2003.

Parking Stalls are also broken down into segments and parking lots. Of the 67 segments the department painted 60 (90%) in CY 2005. Of the stalls not painted in CY 2005 2 were painted in CY 2003 and 5 were painted in CY 2004. Of 20 parking lots and garages 3 were painted (15%) in CY 2005, 12 in CY 2004, 2 in CY 2003. The remaining three lots have not been painted for several years. The Bus Terminal was a special MTA project and has not been requested again. The Highway Garage lot is non-public and gets little use. The Victory Garage has not been repainted since its renovation several years ago.

The following chart shows the total amount of various road markings the department is responsible for painting and the percent that were painted in calendar year 2005.

MARKING	TOTAL	# PAINTED CY 05	% PAINTED CY 05	# PAINTED CY 04	# PAINTED CY 03	# PAINTED PRIOR
Islands	74	63	85%	3	2	6
Arrows	1,231	300	24%	4	409	487
Stop Stencils	144	0	0%	0	0	144
Only Stencils	292	71	24%	0	114	107
School Stencils	96	96	100%	0	0	0
Crosswalks	1,132	1,090	96%	10	8	1
Stop Lines	1,216	1,151	95%	16	18	1

SOURCE: Traffic Department Street Marking Reports

The table above only shows the length of time between paintings. Each year many of the street markings are repainted. The department tries to paint all the heavily trafficked areas first then paint the remainder as time allows. A visual inspection of some of the areas not painted for several years revealed that the markings were very faint or nonexistent. The Victory Garage, which hasn't been painted in several years, was slightly faded but the markings were still easily readable.

OBSERVATION 8 STREET MARKING COSTS:

The City of Manchester maintains over 397 miles of class IV, V and VI roads throughout the City. The Traffic Department is responsible for maintaining the traffic markings on all these public roadways as well as parking lots and the remaining city owned garage. A crew of six employees maintains over two million linear feet of road striping, seventy-four islands, hundreds of parking stalls including 19 parking lots and one garage, 1,132 crosswalks, 1,216 Stop Lines and 1,837 stencils and other markings. Painting is done using a latex-based paint.

During calendar year 2005 the painting crew was painting from March 23 to December 5. During this period they painted a total of 132 days. During this time crews worked 8 Sundays, 10 Saturdays and 12 nights accumulating 212 hours of over time and 2,834 regular hours. The following table summarizes the activity for FY 2005.

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MARKING	TOTAL	# PAINTED CY 05	% PAINTED CY 05
Islands	74	63	85%
Arrows	1231	300	24%
Stop Stencils	144	0	0%
Only Stencils	292	71	24%
School Stencils	96	96	100%
Crosswalks	1,132	1,090	96%
Stop Lines	1,216	1,151	95%

Long line painting is broken down into segments of roadway. Each segment is determined by breaks in the line and varies in length from a few feet to hundreds of feet. Of the 755 segments the Department was able to paint 68% in calendar year 2005. Those that were not painted in 2005 had been painted in calendar year 2004.

The Department also painted 90% of the street parking stalls but only 15% of parking lots. They have not painted the Victory Garage in several years.

Based on reimbursement requests to the State of NH it is estimate that the cost per linear foot to paint the lines in the road was \$.068 per linear foot. The cost to paint crosswalks is estimated to be \$.13 per linear foot and \$.34 per linear foot for stencils.

The City of Concord in 2002 bid out the painting work and accepted a bid of .042 per linear foot for long lines and \$30 to \$45 per crosswalk. They were also given an alternative quote of \$.015 per linear foot of long lines if the City supplied the paint. A recent bid from the City of Nashua came back with \$.0315 per linear foot.

The Department seems to be having a problem painting all road markings in a timely manner. A visual inspection of road markings that have not been painted for over three years shows severely faded or non-existent markings.

RECOMMENDATION:

Because the per linear foot cost to privatize the long line marking is significantly less expensive then the in-house cost it is recommended that the department put this part of the job out to bid. This would free up the staff to concentrate on the area that they appear to be able to do less expensively then private companies. This would allow them to reduce the time between paintings for all markings.

AUDITEE RESPONSE:

Traffic Dept. concurs with recommendation so long as there is a provision to provide next day service to stripe newly paved roads.

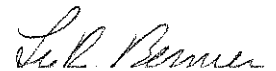
I

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that a request from Peter Ramsey of The Palace Theatre to hang a banner across Hanover Street from November 20th to December 23rd be granted and approved under the direct supervision of the Highway, Risk and Traffic Departments.

(Unanimous vote)

Respectfully submitted,



Clerk of Committee



RECEIVED
MANCHESTER CITY CLERK

NOV 13 11:24

MANCHESTER'S HISTORIC THEATRE
PALACE THEATRE
Where the arts come alive™

November 8, 2006

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Dear Mr. Bernier,

The Palace Theatre is respectfully requesting permission to hang a banner across Hanover Street. The purpose of the banner is to advertise our upcoming Nutcracker and Christmas Carol performances. Similar to the Glendi banner, our banner would hang in front of the Palace Theatre and would be designed to withstand the elements.

We would like the banner to hang from November 20th to December 23rd. The Palace Theatre would be happy to pay any expenses incurred with the hanging and removal of the banner.

I look forward to hearing from you regarding our request. Please feel free to contact me directly should you have any questions.

Sincerely,


Peter Ramsey
President and CEO

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinances:



“Amending Section 33.047 (Probationary Period) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.048 (Advancements Within Pay Range) of the Code of Ordinances of the City of Manchester.”

ought to pass.

Unanimous except for Alderman Duval who was absent.

Respectfully submitted,


Clerk of Committee


K

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully recommends, after due and careful consideration, that revisions to Ordinance 33.047 (Probationary Period) and Ordinance 33.048 (Advancements Within Pay Range) be approved and for such purpose Ordinances are submitted for referral to the Committee on Bills on Second Reading for technical review.

(Unanimous vote)

At a meeting of the Board of Mayor and Aldermen
held Oct 17, 2006 on a motion of Ald. Roy
duly seconded by Ald. O'Neil the report
of the Committee was accepted and its recommendations

(adopted) ~~(denied)~~

Scott Bennett

City Clerk

Respectfully submitted,

Matthew
Clerk of Committee
Alper

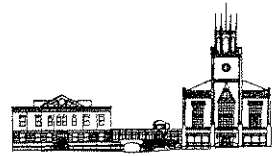
K



CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov



September 25, 2006

Alderman Ted Gatsas, Chairperson
Human Resources and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Proposed Amendments to Ordinances
33.047 and 33.048

Dear Alderman Gatsas and Members of the Committee:

Recently there was some confusion regarding two Ordinances that were inconsistent with one another. One of the Ordinances, 33.047 *Probationary Period*, also had language that was inconsistent with the compensation practices of the City.

Ordinance 33.047, *Probationary Period*, should speak to the purpose and length of probationary periods. Currently, there is language in the Ordinance that addresses increases in pay at the conclusion of the probationary period. Ordinance 33.048, *Advancements Within Pay Range*, already addresses when an employee can receive a merit step upon completion of the probationary period. Therefore, I felt it would be better to separate the subject matters and put the appropriate language in the appropriate Ordinance.

Attached please find proposed revisions to Ordinance 33.047 and 33.048. Hopefully by separating the language to the appropriate Ordinance will eliminate any confusion in the future.

Your favorable approval would be greatly appreciated.

Respectfully submitted,

Virginia A. Lamberton
Human Resources Director

K

PROPOSED AMENDMENT TO
ORDINANCE 33.047, PROBATIONARY PERIOD

September 22, 2006

Current:

33.047 PROBATIONARY PERIOD: After initial appointment or promotion to a position covered by 33.020 through 33.082 of this chapter, the first six months of service in the position to which appointed or promoted shall be considered the period of probation, except uniformed Fire Department personnel and entrance level police personnel whose probation periods shall be for 12 months; provided however, that such fire and police personnel shall be eligible for pay advancement after six months employment, upon the recommendation of the department head. In the event an employee is not meeting the work standard, the probationary period may be extended up to an additional six months not to exceed a total of twelve months probation. During the period of extended probation, the employee shall not be eligible for a step increase until such time as the employee has satisfactorily completed the extended probationary period. At the completion of the probationary period, the employee shall be eligible for a one step increase. In the event the employee does not meet the work standard at the conclusion of the first six months or at the conclusion of the extended probationary period, he shall be separated from the service, except that, in the case of promotion from a lower position, he shall revert to such lower position with the rate of pay to which he would have been entitled had he continued to serve in such lower position without promotion.

Proposed:

33.047 Initial Probationary Period

(A) Upon appointment to a regular full time position, the first six months of service in the position shall be considered the initial probationary period, except uniformed Fire Department personnel and police personnel whose initial probationary periods shall be for 12 months.

(B) In the event an employee is not meeting the work standard, the probationary period may be extended up to an additional six months not to exceed a total of twelve months probation.

(C) In the event an employee does not meet the work standard at the conclusion of the first six months or at the conclusion of the extended probationary period, he shall be separated from service except in the case of a promotional probationary period, all efforts will be made to return said employee to his former position if such position is available.

K

City of Manchester New Hampshire

In the year Two Thousand and

six

AN ORDINANCE

"Amending Section 33.047 (Probationary Period) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend Section 33.047, Probationary Period of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.047 not struck through or bolded remains unchanged.

33.047 PROBATIONARY PERIOD

~~After initial appointment or promotion to a position covered by 33.020 through 33.082 of this chapter, the first six months of service in the position to which appointed or promoted shall be considered the period of probation, except uniformed Fire Department personnel and entrance level police personnel whose probation periods shall be for 12 months; provided however, that such fire and police personnel shall be eligible for pay advancement after six months employment, upon the recommendation of the department head. In the event an employee is not meeting the work standard, the probationary period may be extended up to an additional six months not to exceed a total of twelve months probation. During the period of extended probation, the employee shall not be eligible for a step increase until such time as the employee has satisfactorily completed the extended probationary period. At the completion of the probationary period, the employee shall be eligible for a one step increase. In the event the employee does not meet the work standard at the conclusion of the first six months or at the conclusion of the extended probationary period, he shall be separated from the service, except that, in the case of promotion from a lower position, he shall revert to such lower position with the rate of pay to which he would have been entitled had he continued to serve in such lower position without promotion.~~

33.047 INITIAL PROBATIONARY PERIOD

- (A) Upon appointment to a regular full time position, the first six months of service in the position shall be considered the initial probationary period, except uniformed Fire Department personnel and police personnel whose initial probationary periods shall be for 12 months.
- (B) In the event an employee is not meeting the work standard, the probationary period may be extended up to an additional six months not to exceed a total of twelve months probation.

K

City of Manchester New Hampshire

In the year Two Thousand and

six

AN ORDINANCE

"Amending Section 33.047 (Probationary Period) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- (C) In the event an employee does not meet the work standard at the conclusion of the first six months or at the conclusion of the extended probationary period, he shall be separated from service except in the case of a promotional probationary period, all efforts will be made to return said employee to his former position if such position is available.

- II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

K

PROPOSED AMENDMENT TO
ORDINANCE 33.048, ADVANCEMENTS
WITHIN PAY RANGE

September 22, 2006

Current: **33.048 ADVANCEMENTS WITHIN PAY RANGE**

- (A) *Initial hire.* An employee whose entrance is at a rate of pay below the maximum of the base range may be advanced one step in the appropriate range effective the date of the successful completion of the initial probationary period. Such advancement may be recommended by the department head and approved by the Human Resources Director or Human Resources and Insurance Committee.

Proposed: **33.048 ADVANCEMENTS WITHIN PAY RANGE**

- (A) *Initial hire.* An employee whose entrance is at a rate of pay below the maximum of the base range may be advanced one step in the appropriate range effective the date of the successful completion of the initial probationary period. Such advancement may be recommended by the department head and approved by the Human Resources Director or Human Resources and Insurance Committee.

- (1) Although Police and Fire personnel serve a twelve month initial probationary period, such personnel shall be eligible for pay advancement after six months of employment, upon the recommendation of the department head.

K

City of Manchester New Hampshire

In the year Two Thousand and

six

AN ORDINANCE

"Amending Section 33.048 (Advancements Within Pay Range) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend Section 33.048 Advancements Within Pay Range of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.048 not struck through or bolded remains unchanged.

33.048 ADVANCEMENTS WITHIN PAY RANGE

- (A) *Initial hire.* An employee whose entrance is at a rate of pay below the maximum of the base range may be advanced one step in the appropriate range effective the date of the successful completion of the initial probationary period. Such advancement may be recommended by the department head and approved by the Human Resources Director or Human Resources and Insurance Committee.

33.048 ADVANCEMENTS WITHIN PAY RANGE

- (A) *Initial hire.* An employee whose entrance is at a rate of pay below the maximum of the base range may be advanced one step in the appropriate range effective the date of the successful completion of the initial probationary period. Such advancement may be recommended by the department head and approved by the Human Resources Director or Human Resources and Insurance Committee.
- (1) **Although Police and Fire personnel serve a twelve month initial probationary period, such personnel shall be eligible for pay advancement after six months of employment upon the recommendation of the department head.**

- II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.



To the Board of Mayor and Aldermen of the City of Manchester:



The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.”

ought to pass.

Unanimous except for Alderman Duval who was absent.

Respectfully submitted,


Clerk of Committee


L

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay District to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.

SECTION II. Article 3.03 Definition of Terms

Groundwater: Subsurface water that occurs beneath the water table in soils and geologic formations.

Groundwater Management Zone: Designated by the State through permit process as a component of the remediation of contaminated groundwater. The State shall issue permits or other similar controls for such zones that establish a time period and process for the remediation of the groundwater.

SECTION III. Article 4.01 B Overlay Districts

4.01 B. 9 Manchester Landfill Groundwater Management Zone (ML-GMZ)

The purpose of this overlay district is to protect public health by restricting groundwater use. The groundwater quality is being monitored under a permit issued by New Hampshire Department of Environmental Services (NHDES). Pumping of groundwater from any well, trench, or other structure for residential, irrigation, agricultural, or industrial purpose is prohibited, unless it is for the specific purpose of pumping groundwater out of a sump to keep a cellar from flooding. The extent of the District shall be as referenced by NHDES Permit as the Manchester Landfill Groundwater Management Zone.

SECTION IV. Article 4.02 Official Zoning Maps

4.02.A “...In addition to the base districts, the map includes the *Residential-Professional Office (R-PO) Overlay districts* and the *Historic Districts Overlay districts*, the *Arena Overlay district*, and the *Manchester Landfill-Groundwater Management Zone (ML-GMZ) Overlay district*. The Airport Navigational...”

L

City of Manchester New Hampshire

In the year Two Thousand and

Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION V. **Article 7 Special District-Wide Regulations**

7.10 Manchester Landfill Groundwater Management Zone (ML-GMZ)

A. Authority for the ML-GMZ Overlay

The Manchester Landfill Groundwater Management Zone is adopted pursuant to Section 1.03, Authority, of this Ordinance, and in accordance with the provisions of RSA 674:21, Innovative Land Use Controls. Monitoring wells and surface water sampling stations constitute remediation activities and ML-GMZ Overlay district is considered to be an innovative land use control as environmental characteristics zoning.

B. Establishment of the ML-GMZ Overlay

The Manchester Landfill Groundwater Management Zone Overlay is established in accordance with, and for the purposes so stated in Section 4.01, Establishment and Purpose of Districts, of this Ordinance. It encompasses lands in NHDES Manchester Landfill Groundwater Management Zone Permit as indicated on the Overlay Map Manchester Landfill Groundwater Management Zone adopted pursuant to Section 4.02 (A) Official Zoning Base District Map, of this Ordinance.

The Manchester Landfill Groundwater Management Zone Overlay Map displays those parcels effected by groundwater contamination by virtue of lying downgradient of the City landfill. Withdrawal of groundwater from this area is prohibited (see Article 4.01 B.9) in the interest of public health, safety, and general welfare. The area contains monitoring wells and surface water sampling stations that survey the remediation of degraded groundwater supplies. The extent of the area is referenced by NHDES Permit.

C. Uses Prohibited within the ML-GMZ Overlay

Pumping of groundwater from any well, trench, sump, or other structure for residential, irrigation, agricultural, or industrial purpose is prohibited, unless it is for the specific purpose of pumping groundwater out of a sump to keep a cellar from flooding.

SECTION VI. Resolve this ordinance shall take effect upon passage.

L

To the Board of Mayor and Aldermen of the City of Manchester:



The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Code of Ordinances of the City of Manchester by adding sections and changing language to 70.06, 70.48 and 70.78 providing for Pay and Display Meters, Procedures, Enforcement and Penalties.”

ought to pass and lay over as previously amended by the Board and contained herein.

Unanimous except for Alderman Duval who was absent.

Respectfully submitted,


Clerk of Committee


M

City of Manchester New Hampshire

In the year Two Thousand and

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding Sections and changing language to 70.06, 70.48 and 70.78 providing for Pay and Display Meters, Procedures, Enforcement and Penalties."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend the Code of Ordinances of the City of Manchester by inserting new language as follows:

§70.06 DEFINITIONS (ADD NEW)

PAY & DISPLAY METER is a single unit that replaces multiple meters. The motorist pays for parking at the pay station and receives a receipt to be placed face-up on the dashboard of their vehicle. This receipt indicates the start and end of the time purchased.

§70.48 (ADD NEW SECTION)

(C) PAY & DISPLAY METER :

1. Procedure for using Pay & Display Meters
 - (a) Area for pay and display meter parking will be marked with signs, indicating the time zone and where the Pay & Display Meter is located.
 - (b) The motorist may park their vehicle and proceed to the pay station.
 - (c) The motorist has the choice to pay with credit card or US Coins (Dollars, Quarters, Dimes, or Nickels).
 - (d) Minimum credit card transaction is \$1.00.
 - (e) The motorist will receive a Pay & Display Receipt (P&DR) which must be placed face up on the dashboard of their vehicle.
 - (f) The receipt must be visible from both sides of the vehicle.
 - (g) The receipt is valid at any pay & display meter in the city as long as it is not expired or the vehicle has not been parked for longer than the allowed time limit in that particular space.
 - (h) The receipt is only valid on the date issued.
 - (i) Only one receipt is allowed on the vehicle dashboard.
2. Pay & Display Receipts will at minimum have the following printed information:
 - (a) Issued date and time
 - (b) Expiration date and time
 - (c) Machine ID number
 - (d) Receipt number
 - (e) Payment amount
 - (f) City's name
 - (g) Words "PLACE ON DASHBOARD FACE UP"

City of Manchester New Hampshire

In the year Two Thousand and

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding Sections and changing language to 70.06, 70.48 and 70.78 providing for Pay and Display Meters, Procedures, Enforcement and Penalties."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

3. Procedure for enforcement:

- (a) A vehicle with no obvious signs of a purchased Pay & Display Receipt (from the current day) placed face up on the dashboard of the vehicle will be issued a parking citation for "Failure to Display Pay & Display Receipt" pursuant to §70.78.
- (b) A vehicle displaying an expired Pay & Display Receipt (current date) will be subject to a parking citation for "Expired Meter" pursuant to §70.78.
- (c) A vehicle not parked wholly within the lines identifying the parking space will be subject to a parking citation for "No Parking Zone" pursuant to §70.78.
- (d) Vehicles are also subject to any time restriction as posted.

4. Out-of-Order Pay and Display Meters.

If a Pay and Display Meter is out-of-order or otherwise inoperable, the motorist will be directed to the nearest alternative Pay and Display Meter to obtain a valid receipt.

§70.78 PENALTY (ADD THE FOLLOWING)

VIOLATION	BASIC PENALTY	AFTER 7 DAYS
Failure to Display Pay & Display Receipt	\$10	\$20

II. Resolved, this ordinance shall take effect upon passage.


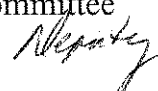
M

To the Board of Mayor and Aldermen of the City of Manchester:

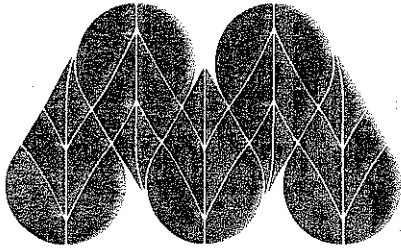
The Committee on Public Safety and Traffic, respectfully advises, after due and careful consideration, that it has approved a request of the Library to bag two meters on Amherst Street as temporary handicap parking during the construction period of renovations to the handicap accessible entrance.

(Unanimous vote)

Respectfully submitted,


Clerk of Committee


N



**City of Manchester
City Library**

Denise Van Zanten
Library Director

Carpenter Memorial Building
405 Pine Street
Manchester, New Hampshire 03104-6199
(603) 624-6550

Public Safety/Traffic Committee
City Hall Plaza
Manchester, New Hampshire 03101

October 31, 2006

Dear Alderman Osborne:

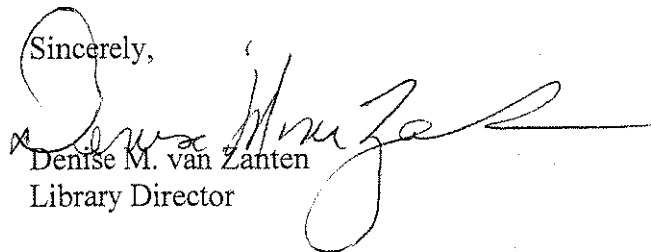
Beginning on November 6th the main library's handicap accessible entrance is being closed for major renovations. This will close off our staff parking lot, which has two handicap spots.

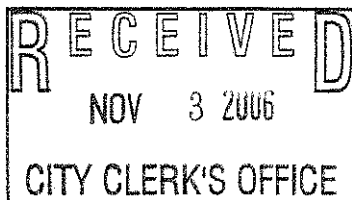
During this project we will be utilizing our Amherst Street entrance as our handicap accessible entrance for the main library. In order to accommodate our handicap patrons I am requesting that the committee consider allowing two on street metered spots on Amherst Street, across from this entrance to be bagged, as temporary handicap parking during the course of this renovation project.

If you have any questions regarding this request please contact me at either dvanzant@manchesternh.gov or at 624-6550 X329. I am sorry for the short notice but the project schedule was finalized today October 31st and will continue through the end of December.

Thank you for considering my request.

Sincerely,


Denise M. van Zanten
Library Director



NV

To the Board of Mayor and Aldermen of the City of Manchester:


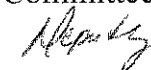
The Committee on Public Safety and Traffic respectfully recommends, after due and careful consideration, that:

a request from Intown Manchester to allow free parking downtown on Thursday evenings throughout December

be approved.

(Unanimous vote)

Respectfully submitted,


Clerk of Committee


0



November 2, 2006

Mr. Leo Bernier
Manchester City Clerk
One City Hall Plaza
Manchester, NH 03101

Re: Request for curtailment of parking enforcement Thursday evenings throughout December

Dear Mr. Bernier,

As part of our Holiday promotional activities for Downtown we have developed an incentive for people to shop and dine in the city. This is a request for the city to allow free parking at the meters after 6 p.m. Thursdays during the month of December.

We would appreciate any kind of flexibility that could be given on these days to encourage shoppers and diners to continue to support the downtown businesses, especially during the busy holiday season.

I can be reached at 645-6285 if you have any questions, comments, or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Elise Ryan".

Elise Ryan
Project Specialist
Intown Manchester

A simple, hand-drawn circle, likely a placeholder for a stamp or a mark.

To the Board of Mayor and Aldermen of the City of Manchester:


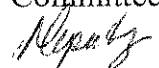
The Committee on Public Safety and Traffic respectfully recommends, after due and careful consideration, that:

a request from Marcel's Way for the use of Arms Park on Saturday, April 14, 2007 from 10 AM until 4 PM with a rain date of Sunday, April 15, 2007 for a walkathon and festivities to benefit their cause for Mitochondrial Disorders

be granted and approved, under the direct supervision of the City Clerk, Parks, Police, Risk and Traffic Departments.

(Unanimous vote)

Respectfully submitted,


Clerk of Committee


P



Marcel's Way

Providing those whose lives are touched by Mitochondrial Disorders with information, education, and support.

October 20, 2006

Mr. Ed Osborne
Chairman Traffic Committee
City Clerk's Office
1 City Hall Plaza
Manchester, NH 03103

Dear Mr. Osborne,

This letter is in request for approval of a Walkathon and festivities to follow in Arms Park parking lot area on Saturday April 14, 2007 from 10:00 a.m. until 4:00 p.m. with a rain date of Sunday April 21, 2007. The purpose of our walkathon is to help raise awareness for our cause.

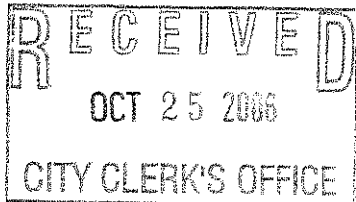
Our organization, Marcel's Way, is a non profit organization for children and families who are affected with mitochondrial disorders. The organization provides families with education, information, and support. For more information please refer to our website www.marcelsway.org.

We have spoken with Lt. Richard Valenti at the traffic division of Manchester Police Department to confirm there are no other events scheduled at this point. We have also spoken with Sergeant Bartlett at the Manchester Police department and he has provided us with route for our short walk. It has been explained to us that after we have secured the date, he will then email me the permit and Marcel's Way will provide him with the insurance binder. The organization is also aware that we must hire a police officer for the event.

Do not hesitate to contact us with any questions or requests for further information we may provide. Thank you for your consideration with our request. We look forward to your response.

Sincerely,

Cathy McDonald, Treasurer
Marcel's Way
P.O. Box 392
New Boston, NH 03070
(877) 412-4141
cathy.mcdonald@marcelsway.org
www.marcelsway.org



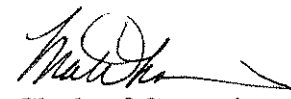
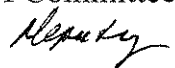
P

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety and Traffic, respectfully recommends, after due and careful consideration, that the Board approve a standard crosswalk design for added visibility to be marked with white diagonal lines at a 45-degree angle to the line of the crosswalk.

(Unanimous vote)

Respectfully submitted,


Clerk of Committee


Q

Figure 3B-15. Typical Types of Crosswalk Markings

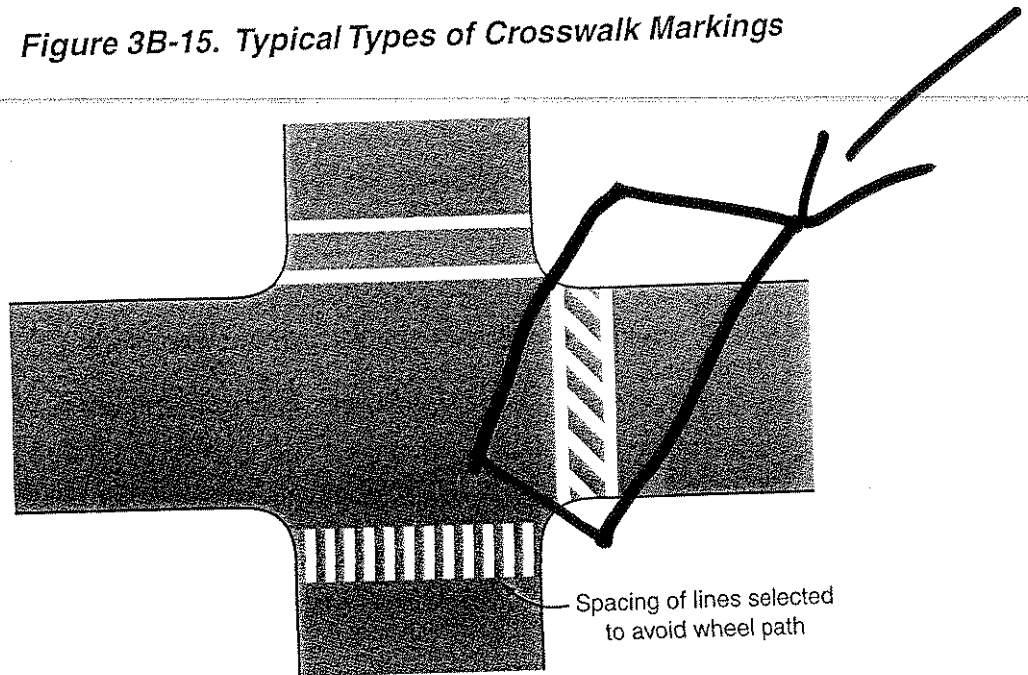
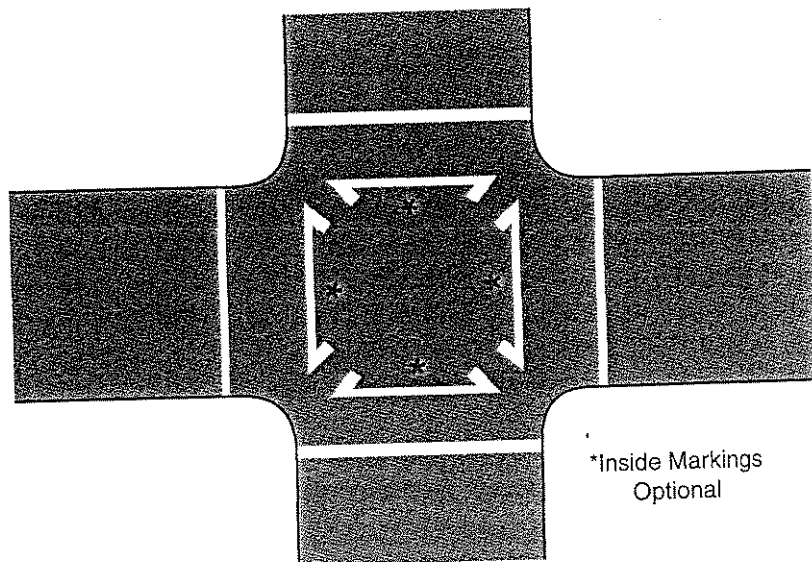


Figure 3B-16. Typical Crosswalk Markings for Exclusive Pedestrian Phase That Permits Diagonal Crossing



10

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Traffic/Public Safety respectfully recommends, after due and careful consideration, that the following regulations governing standing, stopping, and parking and operation of vehicles, be adopted pursuant to Chapter 70 of the Code of Ordinances of the City of Manchester and put into effect when duly advertised and the districts affected thereby duly posted as required by the provisions of that Chapter and Chapter 335 of the Sessions Laws of 1951.

Section 70.36 Stopping, Standing, or Parking Prohibited
--

Stop Signs:

On Massabesic Street at Cypress Street, SWC, NEC
On Granite Street at Barr Street, NEC, SWC – Emergency Ordinance
On Granite Street at Dyson Street, NEC, SWC – Emergency Ordinance
On Teaberry Place at Hackett Hill Road, SEC
On Treetop Lane at Teaberry Place, NEC
On Streamside Drive at Teaberry Place, SWC
On Sylvan Lane at Pondview Lane, SEC
On Sylvan Lane at Countryside Boulevard, SWC
On River Birch Circle at Countryside Boulevard, NEC
On Blueberry Drive at Countryside Boulevard, NEC
On White Pine Lane at Blueberry Drive, SEC

Crosswalk:

On Old Falls Road at Massabesic Street

1 Hour Parking:

On Main Street, west side, from a point 150 feet south of Sullivan Street to Hecker Street – Emergency Act

R

Report of the Cmte. on Public Safety & Traffic

Page 2

2 Hour Parking – (8 AM – 3 PM Monday thru Friday):

On Spruce Street, south side, from a point 74 feet east of Cypress Street to a point 31 feet easterly – Emergency Ordinance

No Parking Loading Zone:

On Tarrytown Road, west side, from a point 140 feet south of Mammoth Road to a point 90 feet southerly

On Cedar Street, north side, from a point 20 feet west of Canton Street to a point 30 feet westerly – Emergency Ordinance

Rescind 1 Hour Parking:

On Main Street, west side, from Hecker Street to a point 45 feet south of Sullivan Street (Ord. 3261) – Emergency Act

Rescind - No Parking Loading Zone:

On Main Street, west side, from Sullivan Street to a point 45 feet south (Ord. 3262) – Emergency Act

No Parking Anytime:

On Tarrytown Road, west side, from a point 230 feet south of Mammoth Road to Hanover Street

On Tarrytown Road, west side from Mammoth Road to a point 140 feet southerly

On Main Street, west side, from Sullivan Street to a point 150 feet south –
Emergency Act

On Massabesic Street, east side, from Old Falls Road to a point 95 feet south of Hayes Ave – Emergency Ordinance

On Hayes Ave., north side, from Massabesic Street to a point 60 feet east –
Emergency Ordinance

On McQuesten Street, north side, from Hill Street to Second Street

Rescind No Parking During School Hours:

On Hoyt Street, east side, from Joshua Drive to a point 75 feet northerly
(Ordinance number not yet assigned)

Commercial Motor Vehicle Traffic Prohibited:

On Erie Street, from South Main Street to Boynton Street

R

Report of the Cmte. on Public Safety & Traffic
Page 3

Rescind 30 Minute Parking:

On McQuesten Street, north side, from a point 30 feet east of Second Street to a point 36 feet easterly (Ord. 9096)

Rescind No Parking Anytime:

On Tarrytown Road, west side, from Mammoth Road to Hanover Street
(Ordinance number not yet assigned)



On McQuesten Street, north side, from a point 105 feet east of Second Street to Hill Street (Ord. 9043)

REPEALING PROVISIONS

That all rules and regulations now in effect in accordance with the provisions of an Ordinance "Chapter 70 Motor Vehicles and Traffic" as adopted August 6, 2002, with subsequent amendments thereto and inconsistent with the traffic rules and regulations herein adopted be repealed.

(Unanimous vote)

Respectfully submitted,


Clerk of Committee


R



**City of Manchester
Information Systems Department**

100 Merrimack Street
Manchester, New Hampshire 03101-2210
Phone (603) 624-6577
Fax (603) 624-6320
www.ManchesterNH.gov

Diane S. Prew
Director

November 8, 2006

The Honorable Frank C. Guinta
Mayor, City of Manchester
One City Hall Plaza
Manchester, NH 03101

Dear Mayor Guinta:

Please accept my resignation, for reasons of retirement, from the position of Information Services Director, effective December 29, 2006.

I have served as the Director of the Information Systems Department since its creation almost 27 years ago. It was a very unique opportunity to be able to build the department from its inception into the reliable support organization it is today.

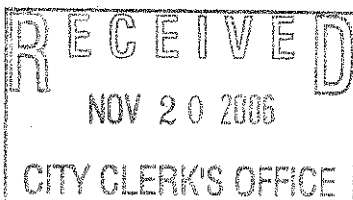
During that time, I have worked with many dedicated city employees and officials. I would like to particularly recognize the members of my staff for their many years of dedicated service.

It has been an honor and privilege to work for the City of Manchester. It is with a certain amount of sadness that I leave this position to move on to a new phase of my life.

I stand ready to assist the City during this transition in any way that I can.

Sincerely,

Diane S. Prew
Director, Information Services



5

RECEIVED

NOV 14 2006

MAYOR'S OFFICE

VICTORIA CHAPMAN
485 SHASTA STREET
MANCHESTER, NH 03103
603-644-8766

November 13, 2006

Mayor Frank Guinta
One City Hall Plaza
Manchester, NH 03103

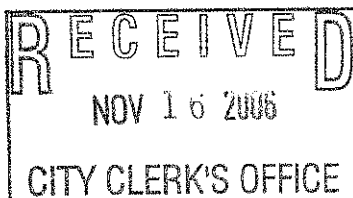
Dear Mayor Guinta;

It is with great regret that I must resign my position as Commissioner for the Department of Senior Services for the City of Manchester.

I have taken a new job that is out of town and will require more of my time. I have enjoyed my years as a commissioner.

Sincerely,


Victoria Chapman





City of Manchester New Hampshire

In the year Two Thousand and

SIX

AN ORDINANCE

"Amending Section 33.047 (Probationary Period) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend Section 33.047, Probationary Period of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.047 not struck through or bolded remains unchanged.

33.047 PROBATIONARY PERIOD

~~After initial appointment or promotion to a position covered by 33.020 through 33.082 of this chapter, the first six months of service in the position to which appointed or promoted shall be considered the period of probation, except uniformed Fire Department personnel and entrance level police personnel whose probation periods shall be for 12 months; provided however, that such fire and police personnel shall be eligible for pay advancement after six months employment, upon the recommendation of the department head. In the event an employee is not meeting the work standard, the probationary period may be extended up to an additional six months not to exceed a total of twelve months probation. During the period of extended probation, the employee shall not be eligible for a step increase until such time as the employee has satisfactorily completed the extended probationary period. At the completion of the probationary period, the employee shall be eligible for a one step increase. In the event the employee does not meet the work standard at the conclusion of the first six months or at the conclusion of the extended probationary period, he shall be separated from the service, except that, in the case of promotion from a lower position, he shall revert to such lower position with the rate of pay to which he would have been entitled had he continued to serve in such lower position without promotion.~~

33.047 INITIAL PROBATIONARY PERIOD

(A) Upon appointment to a regular full time position, the first six months of service in the position shall be considered the initial probationary period, except uniformed Fire Department personnel and police personnel whose initial probationary periods shall be for 12 months.

(B) In the event an employee is not meeting the work standard, the probationary period may be extended up to an additional six months not to exceed a total of twelve months probation.

9

City of Manchester New Hampshire

In the year Two Thousand and

SIX

AN ORDINANCE

"Amending Section 33.047 (Probationary Period) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- (C) In the event an employee does not meet the work standard at the conclusion of the first six months or at the conclusion of the extended probationary period, he shall be separated from service except in the case of a promotional probationary period, all efforts will be made to return said employee to his former position if such position is available.

- II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

City of Manchester New Hampshire

In the year Two Thousand and

six

AN ORDINANCE

"Amending Section 33.048 (Advancements Within Pay Range) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend Section 33.048 Advancements Within Pay Range of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.048 not struck through or bolded remains unchanged.

33.048 ADVANCEMENTS WITHIN PAY RANGE

- (A) *Initial hire.* An employee whose entrance is at a rate of pay below the maximum of the base range may be advanced one step in the appropriate range effective the date of the successful completion of the initial probationary period. Such advancement may be recommended by the department head and approved by the Human Resources Director or Human Resources and Insurance Committee.

33.048 ADVANCEMENTS WITHIN PAY RANGE

- (A) *Initial hire.* An employee whose entrance is at a rate of pay below the maximum of the base range may be advanced one step in the appropriate range effective the date of the successful completion of the initial probationary period. Such advancement may be recommended by the department head and approved by the Human Resources Director or Human Resources and Insurance Committee.
- (1) **Although Police and Fire personnel serve a twelve month initial probationary period, such personnel shall be eligible for pay advancement after six months of employment upon the recommendation of the department head.**

- II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay District to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.

SECTION II. Article 3.03 Definition of Terms

Groundwater: Subsurface water that occurs beneath the water table in soils and geologic formations.

Groundwater Management Zone: Designated by the State through permit process as a component of the remediation of contaminated groundwater. The State shall issue permits or other similar controls for such zones that establish a time period and process for the remediation of the groundwater.

SECTION III. Article 4.01 B Overlay Districts

4.01 B. 9 Manchester Landfill Groundwater Management Zone (ML-GMZ)

The purpose of this overlay district is to protect public health by restricting groundwater use. The groundwater quality is being monitored under a permit issued by New Hampshire Department of Environmental Services (NHDES). Pumping of groundwater from any well, trench, or other structure for residential, irrigation, agricultural, or industrial purpose is prohibited, unless it is for the specific purpose of pumping groundwater out of a sump to keep a cellar from flooding. The extent of the District shall be as referenced by NHDES Permit as the Manchester Landfill Groundwater Management Zone.

SECTION IV. Article 4.02 Official Zoning Maps

4.02.A “.....In addition to the base districts, the map includes the *Residential-Professional Office (R-PO) Overlay districts* and the *Historic Districts Overlay districts*, the *Arena Overlay district*, and the *Manchester Landfill-Groundwater Management Zone (ML-GMZ) Overlay district*. The Airport Navigational....”

City of Manchester New Hampshire

In the year Two Thousand and

Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION V. Article 7 Special District-Wide Regulations

7.10 Manchester Landfill Groundwater Management Zone (ML-GMZ)

A. Authority for the ML-GMZ Overlay

The Manchester Landfill Groundwater Management Zone is adopted pursuant to Section 1.03, Authority, of this Ordinance, and in accordance with the provisions of RSA 674:21, Innovative Land Use Controls. Monitoring wells and surface water sampling stations constitute remediation activities and ML-GMZ Overlay district is considered to be an innovative land use control as environmental characteristics zoning.

B. Establishment of the ML-GMZ Overlay

The Manchester Landfill Groundwater Management Zone Overlay is established in accordance with, and for the purposes so stated in Section 4.01, Establishment and Purpose of Districts, of this Ordinance. It encompasses lands in NHDES Manchester Landfill Groundwater Management Zone Permit as indicated on the Overlay Map Manchester Landfill Groundwater Management Zone adopted pursuant to Section 4.02 (A) Official Zoning Base District Map, of this Ordinance.

The Manchester Landfill Groundwater Management Zone Overlay Map displays those parcels effected by groundwater contamination by virtue of lying downgradient of the City landfill. Withdrawal of groundwater from this area is prohibited (see Article 4.01 B.9) in the interest of public health, safety, and general welfare. The area contains monitoring wells and surface water sampling stations that survey the remediation of degraded groundwater supplies. The extent of the area is referenced by NHDES Permit.

C. Uses Prohibited within the ML-GMZ Overlay

Pumping of groundwater from any well, trench, sump, or other structure for residential, irrigation, agricultural, or industrial purpose is prohibited, unless it is for the specific purpose of pumping groundwater out of a sump to keep a cellar from flooding.

SECTION VI. Resolve this ordinance shall take effect upon passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester.

SECTION II. Article 4.01 B Overlay Districts

Article 4.01(B) 10 Lake Massabesic Protection Overlay District (LMPOD)

The purpose of this overlay district is to protect the Lake Massabesic drinking water supply to the City of Manchester.

SECTION III. Article 4.02 Official Zoning Maps

4.02 (A) “... the Historic Districts Overlay districts, the Arena Overlay District, the Manchester Landfill Groundwater Management Zone Overlay District, and the Lake Massabesic Protection Overlay District.”

SECTION IV. Article 7 Special District-Wide Regulations

7.11 Lake Massabesic Protection Overlay District (LMPOD)

A. Authority for the Lake Massabesic Protection Overlay District

The Lake Massabesic Protection Overlay District is adopted pursuant to Section 1.03, Authority, of this Ordinance, and in accordance with the provisions of RSA 674:21, Innovative Land Use Controls.

B. Establishment of the Lake Massabesic Protection Overlay District

The Lake Massabesic Protection Overlay District includes the entire Lake Massabesic watershed located in Manchester. This area is called out to avoid impacts that may affect the drinking water supply over the long term, addressing such issues as stormwater contamination, imperviousness, steep slope disturbance and other land use activities that could potentially be a nonpoint source water quality issue or diminish surface water recharge. EPA Phase II Stormwater Regulation criteria applies to all development creating disturbance to land in the Lake Massabesic Protection Zone.

C. Prohibitions within the Lake Massabesic Protection Overlay District

1. Regardless of the underlying zone, the following land uses, as listed in Article 5.10 Table of Principal Uses and Table 5.11 Table of Accessory Uses are deemed incompatible with the intent of and prohibited in the Lake Massabesic Protection Overlay District:

City of Manchester New Hampshire

In the year Two Thousand and

Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPD) to protect the Lake Massabesic drinking water supply in the City of Manchester.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

Use No.	Use	Critical
E.1	Taxi, bus, rail terminal	X
I.1	Sales or rental of motor vehicles	X
I.2	Sales, rental, repair of boats, etc	X
I.3	Sales, rental, repair of heavy eq.	X
I.4	Automotive repair	X
I.5	Automotive service station	X
I.6	Carwashes and car care centers	X
M.2	Accessory outside storage ind	X
M.3	Accessory manufacturing use	X

2. In addition, the following restrictions and/or prohibitions of land uses apply within 50 feet of waterways or wetlands in the Lake Massabesic Protection Overlay District: No impervious surfaces (driveways, parking lots, roads, etc.) The exceptions from this restriction include residential lots of 12,500 square feet or less and commercial/industrial lots of less than one acre in the B-2 Zoning District.

D. Additional Restrictive Policies Pertaining to the Lake Massabesic Protection Overlay District.
In addition to the restrictions listed in this LMPD, the District is also subject to criteria and guidelines contained in the following documents on file in the City:

- City Stormwater Ordinance (and any subsequent revisions) - Highway Department
- City Stormwater Rules and Regulations (and any subsequent revisions) - Highway Dept.
- Subdivision and Site Plan Regulations (and any subsequent revisions) - Planning Department

SECTION V. Article 14.02 Powers and Duties of the ZBA

14.02 (B) 6 “Any proposed non-residential variance request located within the Lake Massabesic Protections Overlay District shall be forwarded to the Manchester Water Works for comment prior to the hearing on the variance.”

SECTION VI. Resolve this ordinance shall take effect upon passage.

9

City of Manchester New Hampshire

In the year Two Thousand and

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by adding Sections and changing language to 70.06, 70.48 and 70.78 providing for Pay and Display Meters, Procedures, Enforcement and Penalties.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend the Code of Ordinances of the City of Manchester by inserting new language as follows:

§70.06 DEFINITIONS (ADD NEW)

PAY & DISPLAY METER is a single unit that replaces multiple meters. The motorist pays for parking at the pay station and receives a receipt to be placed face-up on the dashboard of their vehicle. This receipt indicates the start and end of the time purchased.

§70.48 (ADD NEW SECTION)

(C) PAY & DISPLAY METER :

1. Procedure for using Pay & Display Meters
 - (a) Area for pay and display meter parking will be marked with signs, indicating the time zone and where the Pay & Display Meter is located.
 - (b) The motorist may park their vehicle and proceed to the pay station.
 - (c) The motorist has the choice to pay with credit card or US Coins (Dollars, Quarters, Dimes, or Nickels).
 - (d) Minimum credit card transaction is \$1.00.
 - (e) The motorist will receive a Pay & Display Receipt (P&DR) which must be placed face up on the dashboard of their vehicle.
 - (f) The receipt must be visible from both sides of the vehicle.
 - (g) The receipt is valid at any pay & display meter in the city as long as it is not expired or the vehicle has not been parked for longer than the allowed time limit in that particular space.
 - (h) The receipt is only valid on the date issued.
 - (i) Only one receipt is allowed on the vehicle dashboard.
2. Pay & Display Receipts will at minimum have the following printed information:
 - (a) Issued date and time
 - (b) Expiration date and time
 - (c) Machine ID number
 - (d) Receipt number
 - (e) Payment amount
 - (f) City's name
 - (g) Words "PLACE ON DASHBOARD FACE UP"

9

City of Manchester New Hampshire

In the year Two Thousand and

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by adding Sections and changing language to 70.06, 70.48 and 70.78 providing for Pay and Display Meters, Procedures, Enforcement and Penalties."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

3. Procedure for enforcement:

- (a) A vehicle with no obvious signs of a purchased Pay & Display Receipt (from the current day) placed face up on the dashboard of the vehicle will be issued a parking citation for "Failure to Display Pay & Display Receipt" pursuant to §70.78.
- (b) A vehicle displaying an expired Pay & Display Receipt (current date) will be subject to a parking citation for "Expired Meter" pursuant to §70.78.
- (c) A vehicle not parked wholly within the lines identifying the parking space will be subject to a parking citation for "No Parking Zone" pursuant to §70.78.
- (d) Vehicles are also subject to any time restriction as posted.

4. Out-of-Order Pay and Display Meters.

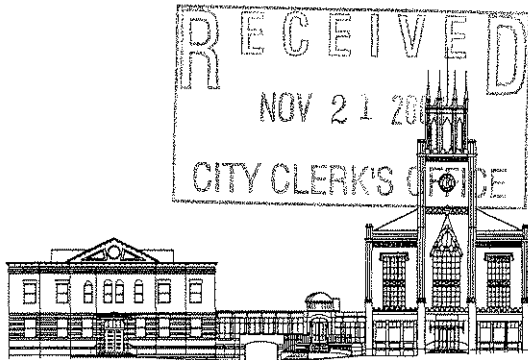
If a Pay and Display Meter is out-of-order or otherwise inoperable, the motorist will be directed to the nearest alternative Pay and Display Meter to obtain a valid receipt.

§70.78 PENALTY (ADD THE FOLLOWING)

VIOLATION	BASIC PENALTY	AFTER 7 DAYS
Failure to Display Pay & Display Receipt	\$10	\$20

II. Resolved, this ordinance shall take effect upon passage.

9



City of Manchester Office of the Tax Collector

City Hall One City Hall Plaza

Manchester, New Hampshire 03101

Joan A. Porter, Tax Collector

Tele: (603) 624-6575

Fax: (603) 628-6162

Web Site: <http://www.manchesternh.gov>

Email: taxcollector@ci.manchester.nh.us

Welcome to the City Of Manchester NH, Where History Invites Opportunity!

November 20, 2006
Board of Mayor and Aldermen
City Hall
1 City Hall Plaza
Manchester, NH 03101

Honorable Members:

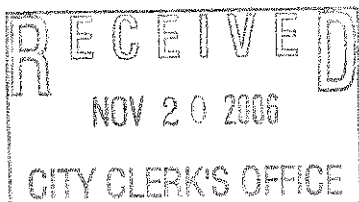
RSA 80:52-a (attached) permits the Tax Collector of a City/Town to accept the prepayment of property taxes on a vote of the Board of Mayor and Aldermen.

I am requesting that the Board of Mayor and Aldermen vote to allow such prepayment of taxes. In the past, we have allowed taxpayers to leave overpayments on the account to be credited toward the next bill. In order to continue this practice and be in compliance with State Statute, I believe a vote of the Board of Aldermen is necessary.

Thank you for your consideration of this request.

Sincerely,

Joan A. Porter
Joan A. Porter
Tax Collector



13

TITLE V TAXATION

CHAPTER 80 COLLECTION OF TAXES

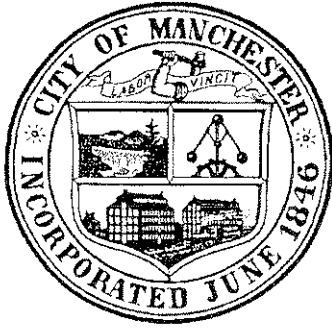
Miscellaneous Provisions

Section 80:52-a

80:52-a Prepayment. – Any town by vote at a town meeting under a proper article in the warrant or by vote of the board of selectmen or the town council and any city by vote of its governing board may authorize the prepayment of taxes and authorize the collector of taxes to accept payments in prepayment of taxes. If a town or city so votes, any person, firm or corporation owning taxable property may, at any time before notice of the amount of taxes assessed against said property has been received, make payments on account of such taxes as will be due and the collector shall receive such payments and give a receipt therefor and credit the amounts paid toward the amount of the taxes eventually assessed against said property. In any town or city which shall vote to authorize the prepayment of taxes the collector of taxes shall give such bond in the form and amount which the commissioner of revenue administration shall require, and the collector shall pay over all sums so received to the town treasurer under the provisions of RSA 41:35. No taxpayer shall be allowed to prepay taxes more than 2 years in advance of the due date of the taxes. No interest shall accrue to the taxpayer on any prepayment, nor shall any interest be paid to the taxpayer on any prepayment which is later subject to rebate or refund.

Source. 1963, 36:1. 1973, 544:8. 1989, 155:1, eff. July 16, 1989. 1998, 244:1, eff. Aug. 24, 1998.

13



**City of Manchester
Department of Finance**

One City Hall Plaza
Manchester, New Hampshire 03101
Phone: (603) 624-6460
Fax: (603) 624-6549

RECEIVED

NOV 20 2006

MAYOR'S OFFICE

November 20, 2006

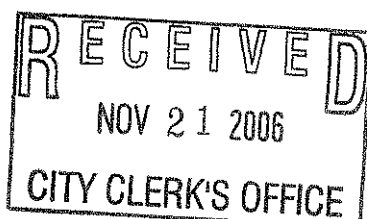
Mayor Frank C. Guinta
One City Hall Plaza
Manchester, NH 03101

Dear Mayor Guinta,

Per our conversation, please be advised that Kevin Clougherty's final payout was approximately \$66,000.00. The Finance Department does not have sufficient funds budgeted to fully cover these costs. In order to provide funding for a full complement, I am requesting \$50,000.00 be held in Contingency in the event that we are unable to absorb this amount by year-end.

Sincerely,

Randy M. Sherman
Finance Officer



14

Mayor Guinta



City of Manchester
Department of Finance

One City Hall Plaza
Manchester, New Hampshire 03101
Phone: (603) 624-6460
Fax: (603) 624-6549

RECEIVED

NOV 16 2006

MAYOR'S OFFICE

November 15, 2005

Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

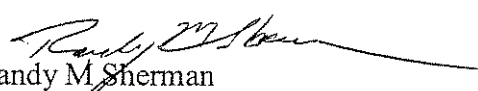
Honorable Board Members:

At the request of the Board, I contacted Ken Edwards, Assistant Executive Director of the Manchester Housing and Redevelopment Authority (MHRA), relative to the question on parking revenues generated from the Jac-Pac property. Mr. Edwards informed me that the response I provided to the Board was correct. Revenues generated from the property, whether from parking leases, sale of assets or any other source, are recorded as project income and held separately by the MHRA until an action by the Board of Mayor and Aldermen authorizes those revenues to either be expended for a designated purpose or transferred to the City.

Mr. Edwards was kind enough to provide me with a copy of a correspondence he recently submitted to Bob MacKenzie as to the status of the project. I have attached a copy of Mr. Edwards' letter for your benefit. You should note that the third paragraph addresses the project income.

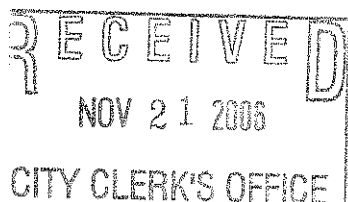
If there should be any additional questions, please do not hesitate to call.

Respectfully submitted,


Randy M. Sherman
Finance Officer

Cc:

Ken Edwards
Bob MacKenzie
Tom Clark



15



Dick Dunfey
President

MHRA I, Inc.

William B. Cashin
Treasurer

Marie E. Donohoe
Secretary

George N. Copadis
Director

Fern G. Gellinas
Director

M. Mary Mongan
Director

November 7, 2006

Robert S. MacKenzie
Director of Planning
City Hall
One City Hall Plaza
Manchester, NH 03101

RE: Jac Pac

Dear Bob:

As we discussed on the phone the other day, the original approved budget of anticipated expenses associated with acquisition and carrying costs for Jac Pac totaled \$3,496,100. Through September 30, 2006 \$3,279,208.18 has been spent leaving a balance of \$216,891.82. I have enclosed a summary which illustrates the approved budget line items and the charges to each line item through September 30, 2006. At the present time, the only line item which is close to depletion is maintenance and security which will be exhausted in early December 2006.

The original budget anticipated that we would be holding the property for approximately one to one and a half years and as of January 2007 we will have owned the property for two years. There are sufficient underruns within other line items in the budget to continue maintenance and security as well as the other required services for another six or eight months without exceeding the original budget. We will continue to provide these services using the existing overall budget authority unless notified by the City that it prefers another arrangement.

In addition, we have collected \$80,750 through September 30, 2006 in project income from CMC under its contract for parking.

Do not hesitate to contact me if you have any questions or wish to discuss this issue further.

Sincerely,

Kenneth R. Edwards
Assistant Executive Director, MHRA

cc: Dick Dunfey, Executive Director
Carl West, Director of Finance

15

198 Hanover Street, Manchester, New Hampshire 03104-6125
603 624-2100 FAX 603 624-2103 TDD 1 800-545-1833, ext. 590



JAC - PAC	Approved Budget	Total thru 9/30/2006	Balance
Acquisition	3,000,000.00	3,000,000.00	0.00
Taxes		54,696.60	(54,696.60)
Demolition	100,000.00	0.00	100,000.00
Admin/Professional Expertise	70,000.00	60,329.30	9,670.70
Environmental Due Diligence	42,500.00	27,304.06	15,195.94
Insurance	25,000.00	6,900.00	18,100.00
Title Insurance	5,100.00	0.00	5,100.00
Maintenance/Security	84,000.00	76,702.53	7,297.47
Utilities	94,500.00	53,275.69	41,224.31
Strategic Plan	75,000.00	0.00	75,000.00
			0.00
Total	3,496,100.00	3,279,208.18	216,891.82

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City of Manchester
Department of Highways
227 Maple Street
Manchester, New Hampshire 03103

Commission
James E. Connolly, Jr.,
Chairman
William F. Kelly
Henry Bourgeois
Edward J. Beleski

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works
Director

MEMO

To: Honorable Board of Mayor and Aldermen
From: Tim Clougherty
Date: 11/16/06
Re: HB 248 School Aid

Dear Aldermen:

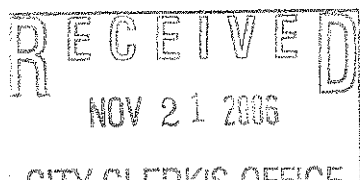
At the 11/14/06 BMA meeting it is my understanding that a question was raised as to whether HB 248 was explored relative to school funding and reimbursement of costs associated with the School Design Build project.

The costs in question are already eligible for reimbursement, along with the balance of project costs, in accordance with RSA 198. HB 248 in this case, is not applicable, according to the State, as its' intention was to allow for reimbursement of energy related performance contracting type agreements which are often financed through lease arrangements. This was verified in conversation with the State Division of Program Support, Bureau of School Approval & Facility Management.

Thank you. I am available should you have further questions.

Sincerely,


Timothy J. Clougherty
Chief Facilities Manager



16

City of Manchester New Hampshire

In the year Two Thousand and

six

AN ORDINANCE

"Amending Section 33.047 (Probationary Period) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend Section 33.047, Probationary Period of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.047 not struck through or bolded remains unchanged.

33.047 PROBATIONARY PERIOD

~~After initial appointment or promotion to a position covered by 33.020 through 33.082 of this chapter, the first six months of service in the position to which appointed or promoted shall be considered the period of probation, except uniformed Fire Department personnel and entrance level police personnel whose probation periods shall be for 12 months; provided however, that such fire and police personnel shall be eligible for pay advancement after six months employment, upon the recommendation of the department head. In the event an employee is not meeting the work standard, the probationary period may be extended up to an additional six months not to exceed a total of twelve months probation. During the period of extended probation, the employee shall not be eligible for a step increase until such time as the employee has satisfactorily completed the extended probationary period. At the completion of the probationary period, the employee shall be eligible for a one step increase. In the event the employee does not meet the work standard at the conclusion of the first six months or at the conclusion of the extended probationary period, he shall be separated from the service, except that, in the case of promotion from a lower position, he shall revert to such lower position with the rate of pay to which he would have been entitled had he continued to serve in such lower position without promotion.~~

33.047 INITIAL PROBATIONARY PERIOD

(A) Upon appointment to a regular full time position, the first six months of service in the position shall be considered the initial probationary period, except uniformed Fire Department personnel and police personnel whose initial probationary periods shall be for 12 months.

(B) In the event an employee is not meeting the work standard, the probationary period may be extended up to an additional six months not to exceed a total of twelve months probation.

17

City of Manchester
New Hampshire

In the year Two Thousand and

six

AN ORDINANCE

"Amending Section 33.047 (Probationary Period) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- (C) In the event an employee does not meet the work standard at the conclusion of the first six months or at the conclusion of the extended probationary period, he shall be separated from service except in the case of a promotional probationary period, all efforts will be made to return said employee to his former position if such position is available.

- II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

City of Manchester New Hampshire

In the year Two Thousand and

six

AN ORDINANCE

"Amending Section 33.048 (Advancements Within Pay Range) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend Section 33.048 Advancements Within Pay Range of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.048 not struck through or bolded remains unchanged.

33.048 ADVANCEMENTS WITHIN PAY RANGE

- (A) *Initial hire.* An employee whose entrance is at a rate of pay below the maximum of the base range may be advanced one step in the appropriate range effective the date of the successful completion of the initial probationary period. Such advancement may be recommended by the department head and approved by the Human Resources Director or Human Resources and Insurance Committee.

33.048 ADVANCEMENTS WITHIN PAY RANGE

- (A) *Initial hire.* An employee whose entrance is at a rate of pay below the maximum of the base range may be advanced one step in the appropriate range effective the date of the successful completion of the initial probationary period. Such advancement may be recommended by the department head and approved by the Human Resources Director or Human Resources and Insurance Committee.

- (1) **Although Police and Fire personnel serve a twelve month initial probationary period, such personnel shall be eligible for pay advancement after six months of employment upon the recommendation of the department head.**

- II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay District to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.

SECTION II. **Article 3.03 Definition of Terms**

Groundwater: Subsurface water that occurs beneath the water table in soils and geologic formations.

Groundwater Management Zone: Designated by the State through permit process as a component of the remediation of contaminated groundwater. The State shall issue permits or other similar controls for such zones that establish a time period and process for the remediation of the groundwater.

SECTION III. **Article 4.01 B Overlay Districts**

4.01 B. 9 Manchester Landfill Groundwater Management Zone (ML-GMZ)

The purpose of this overlay district is to protect public health by restricting groundwater use. The groundwater quality is being monitored under a permit issued by New Hampshire Department of Environmental Services (NHDES). Pumping of groundwater from any well, trench, or other structure for residential, irrigation, agricultural, or industrial purpose is prohibited, unless it is for the specific purpose of pumping groundwater out of a sump to keep a cellar from flooding. The extent of the District shall be as referenced by NHDES Permit as the Manchester Landfill Groundwater Management Zone.

SECTION IV. **Article 4.02 Official Zoning Maps**

4.02.A “....In addition to the base districts, the map includes the *Residential-Professional Office (R-PO) Overlay districts* and the *Historic Districts Overlay districts*, the *Arena Overlay district*, and the *Manchester Landfill-Groundwater Management Zone (ML-GMZ) Overlay district*. The Airport Navigational....”

City of Manchester New Hampshire

In the year Two Thousand and

Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION V. **Article 7 Special District-Wide Regulations**

7.10 Manchester Landfill Groundwater Management Zone (ML-GMZ)

A. Authority for the ML-GMZ Overlay

The Manchester Landfill Groundwater Management Zone is adopted pursuant to Section 1.03, Authority, of this Ordinance, and in accordance with the provisions of RSA 674:21, Innovative Land Use Controls. Monitoring wells and surface water sampling stations constitute remediation activities and ML-GMZ Overlay district is considered to be an innovative land use control as environmental characteristics zoning.

B. Establishment of the ML-GMZ Overlay

The Manchester Landfill Groundwater Management Zone Overlay is established in accordance with, and for the purposes so stated in Section 4.01, Establishment and Purpose of Districts, of this Ordinance. It encompasses lands in NHDES Manchester Landfill Groundwater Management Zone Permit as indicated on the Overlay Map Manchester Landfill Groundwater Management Zone adopted pursuant to Section 4.02 (A) Official Zoning Base District Map, of this Ordinance.

The Manchester Landfill Groundwater Management Zone Overlay Map displays those parcels effected by groundwater contamination by virtue of lying downgradient of the City landfill. Withdrawal of groundwater from this area is prohibited (see Article 4.01 B.9) in the interest of public health, safety, and general welfare. The area contains monitoring wells and surface water sampling stations that survey the remediation of degraded groundwater supplies. The extent of the area is referenced by NHDES Permit.

C. Uses Prohibited within the ML-GMZ Overlay

Pumping of groundwater from any well, trench, sump, or other structure for residential, irrigation, agricultural, or industrial purpose is prohibited, unless it is for the specific purpose of pumping groundwater out of a sump to keep a cellar from flooding.

SECTION VI. Resolve this ordinance shall take effect upon passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPD) to protect the Lake Massabesic drinking water supply in the City of Manchester.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPD) to protect the Lake Massabesic drinking water supply in the City of Manchester.

SECTION II. Article 4.01 B Overlay Districts

Article 4.01(B) 10 Lake Massabesic Protection Overlay District (LMPD)

The purpose of this overlay district is to protect the Lake Massabesic drinking water supply to the City of Manchester.

SECTION III. Article 4.02 Official Zoning Maps

4.02 (A) “...the Historic Districts Overlay districts, the Arena Overlay District, the Manchester Landfill Groundwater Management Zone Overlay District, and the Lake Massabesic Protection Overlay District.”

SECTION IV. Article 7 Special District-Wide Regulations

7.11 Lake Massabesic Protection Overlay District (LMPD)

A. Authority for the Lake Massabesic Protection Overlay District

The Lake Massabesic Protection Overlay District is adopted pursuant to Section 1.03, Authority, of this Ordinance, and in accordance with the provisions of RSA 674:21, Innovative Land Use Controls.

B. Establishment of the Lake Massabesic Protection Overlay District

The Lake Massabesic Protection Overlay District includes the entire Lake Massabesic watershed located in Manchester. This area is called out to avoid impacts that may affect the drinking water supply over the long term, addressing such issues as stormwater contamination, imperviousness, steep slope disturbance and other land use activities that could potentially be a nonpoint source water quality issue or diminish surface water recharge. EPA Phase II Stormwater Regulation criteria applies to all development creating disturbance to land in the Lake Massabesic Protection Zone.

C. Prohibitions within the Lake Massabesic Protection Overlay District

1. Regardless of the underlying zone, the following land uses, as listed in Article 5.10 Table of Principal Uses and Table 5.11 Table of Accessory Uses are deemed incompatible with the intent of and prohibited in the Lake Massabesic Protection Overlay District:

City of Manchester New Hampshire

In the year Two Thousand and

Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

Use No.	Use	Critical
E.1	Taxi, bus, rail terminal	X
I.1	Sales or rental of motor vehicles	X
I.2	Sales, rental, repair of boats, etc	X
I.3	Sales, rental, repair of heavy eq.	X
I.4	Automotive repair	X
I.5	Automotive service station	X
I.6	Carwashes and car care centers	X
M.2	Accessory outside storage ind	X
M.3	Accessory manufacturing use	X

2. In addition, the following restrictions and/or prohibitions of land uses apply within 50 feet of waterways or wetlands in the Lake Massabesic Protection Overlay District: No impervious surfaces (driveways, parking lots, roads, etc.) The exceptions from this restriction include residential lots of 12,500 square feet or less and commercial/industrial lots of less than one acre in the B-2 Zoning District.

D. Additional Restrictive Policies Pertaining to the Lake Massabesic Protection Overlay District.

In addition to the restrictions listed in this LMPOD, the District is also subject to criteria and guidelines contained in the following documents on file in the City:

- City Stormwater Ordinance (and any subsequent revisions) - Highway Department
- City Stormwater Rules and Regulations (and any subsequent revisions) - Highway Dept.
- Subdivision and Site Plan Regulations (and any subsequent revisions) - Planning Department

SECTION V. Article 14.02 Powers and Duties of the ZBA

14.02 (B) 6 “Any proposed non-residential variance request located within the Lake Massabesic Protections Overlay District shall be forwarded to the Manchester Water Works for comment prior to the hearing on the variance.”

SECTION VI. Resolve this ordinance shall take effect upon passage.

17

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.

ought to pass.

(Aldermen Duval, Lopez, Garrity, and Pinard recorded in favor; Alderman Gatsas opposed)

IN BOARD OF MAYOR & ALDERMEN

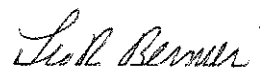
DATE: September 5, 2006

ON MOTION OF ALD. Garrity

SECONDED BY ALD. Smith

VOTED TO table.

Respectfully submitted,



Clerk of Committee



CITY CLERK

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, and 875-16."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. "Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (General Industrial/Industrial Park) located on Gold Street including Tax Map 875, Lots 14, 15, and 16, and being more particularly bounded and described as follows:

Beginning at a point on the centerline of the intersection of Gold Street and John E. Devine Drive extended, said point being on the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment;

Thence, easterly along the centerline of Gold Street, also being the zone boundary line between the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, approximately 965 ft. to a point;

Thence, southerly along the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, a distance of approximately 570 ft. to a point;

Thence, southwesterly along the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, a distance of approximately 1,075 ft. to a point;

Thence, northwesterly generally along the centerline of the former Lawrence Branch of the Boston and Maine Railroad, a distance of approximately 1,090 ft. to a point, said point being the zone boundary line of the R-1B (Residential One-Family) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment;

Thence, easterly along the centerline of Gold Street, also being the new zone boundary line between the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, after this amendment, a distance of approximately 515 ft. to a point, said point also being the point of beginning.

Said description to include TM 875, Lot 14, Lot 15, and Lot 16 consisting of approximately 19.43 acres of private land, to be rezoned from IND (General Industrial/Industrial Park) to B-2 (General Business) zone district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.

18

DEVINE
MILLIMET

ATTORNEYS AT LAW

By Hand Delivery

SUSAN V. DUPREY
603.695.8505
SDUPREY@DEVINEMILLIMET.COM

June 19, 2006

Office of the City Clerk
One City Hall
Manchester, NH 03101-2097

RE: GFI Gold Street, LLC - Petition for Rezoning

Dear Sir or Madam:

Enclosed please find a Petition for rezoning parcels Map 875, Lot 15 and Map 875, Lot 16. Also enclosed is our check in the amount \$300.00. Our office represents GFI, which requests this rezoning.

Please feel free to contact me should you have any questions regarding this matter or if additional information is required. Thank you.

Very truly yours,



Susan V. Duprey

SVD:ml

Enclosures

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July 11, 2006.

In Board of Mayor and Aldermen.

On motion of Alderman Garrity, duly seconded by Alderman Forest, it was voted to refer the petition for rezoning to a Public Hearing on Monday, August 7, 2006 at 6 PM in the Aldermanic Chambers of City Hall and further to authorize execution of agreements enclosed subject to the review and approval of the City Solicitor.



City Clerk

18

STATE OF NEW HAMPSHIRE
CITY OF MANCHESTER

GFI GOLD STREET, LLC

PETITION FOR REZONING

NOW COMES the Petitioner, GFI Gold Street, LLC, by and through its attorneys, Devine, Millimet & Branch, Professional Association, and petitions the Board of Mayor and Aldermen of the City of Manchester, in accordance with Article 16 of the City of Manchester Zoning Ordinance, to change the zone of and amend the Zoning Map regarding 2 parcels of land, one of which is located at 725 Gold Street and the other of which is near Gold Street, County of Hillsborough, City of Manchester and identified as Map 875 Lot 15 and Map 875 Lot 16 in the tax records for the City of Manchester. In support thereof, Petitioner states as follows:

1. GFI Gold Street, LLC is the owner of record of that parcel of land located at 725 Street and identified as Map 875 Lot 15 in the tax records of the City of Manchester (Property 1). Property 1 is approximately 15.178 acres in size and was formerly the site of Associated Grocers which has since relocated. Property 1 is currently zoned Industrial.

2. Ashkars Children's Limited Liability Company and John N. Ashkars own a parcel near Gold Street which has no building situate on it and abuts Property 1 which land is identified as Map 875 Lot 16 in the tax records of the City of Manchester ("Property 2"). Property 2 is approximately 36,864 square feet in size and is also zoned Industrial. Property 2 is subject to a purchase agreement in favor of GFI Gold Street, LLC.

3. The Petitioner, GFI Gold Street, LLC, for itself as owner of Property 1 and as agent for the owners of Property 2, seeks to change the zoning classification of Property 1 and Property 2 from Industrial to B-2 in order to locate a retailer on Property 1 and Property 2.

4. A copy of the tax map showing Property 1 and Property 2 as situated in the Industrial Zone and the zoning designations for the surrounding properties is attached is Exhibit A.

5. It is believed that the change of zone will have little impact on the surrounding area in that much of the surrounding area was either zoned B-2, has been rezoned from

Industrial to B-2 or variances have been granted to allow uses permitted in the B-2 zone.

Changing the zone to B-2 will reduce heavy truck traffic in the area as Property 1 is now used as a 24 hour per day trucking terminal. Plans are being prepared to help address and to generally improve conditions on Gold Street.

6. This proposed change will have a substantial positive tax revenue impact for the City of Manchester and will have no effect on the environment as Property 1 is already developed for an industrial use. There will be no impact on municipal services or facilities.

7. The names, addresses, tax map numbers and lot numbers of all abutting property owners and all properties on the opposite side of the street from Property 1 and Property 2 are attached as Exhibit B.

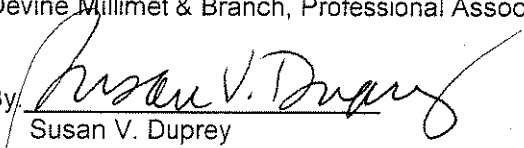
8. A metes and bounds description of Property 1 and Property 2 is attached as Exhibit C.

9. The Petitioner respectfully requests that the Honorable Board of Mayor and Aldermen approve this request to change the zone for Property 1 and Property 2 from Industrial to B-2 and to amend the Zoning Map to reflect this change.

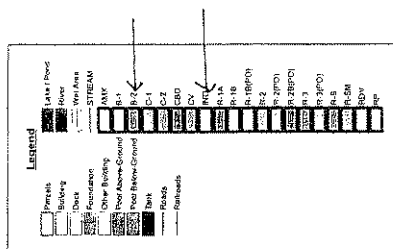
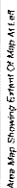
Respectfully submitted,

GFI Gold Street, LLC
By its Attorneys,
Devine Millimet & Branch, Professional Association

By

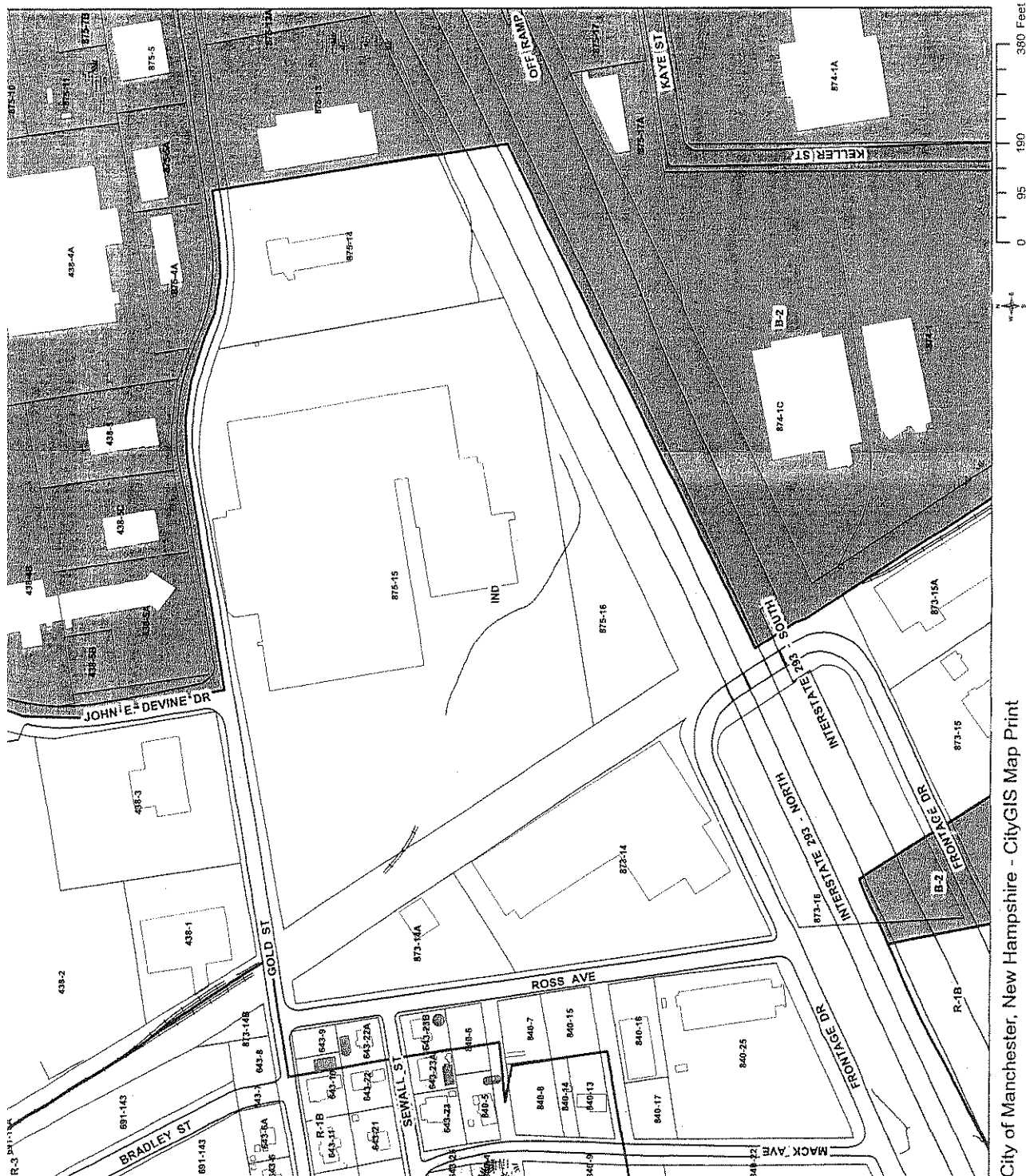

Susan V. Duprey
111 Amherst Street
Manchester, NH 03101
(603) 695-8505

Dated: June 19, 2006



DISCLAIMER

The information appearing on this map is for the convenience of the user and does not constitute a warranty or representation by the City of San Diego. This map is not survey quality. All boundaries, easements, areas, measurements, rights-of-way, etc., appearing on this map should only be considered approximations, and as such have no official or legal value. The City makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of this information for any particular use. The City assumes no liability whatsoever associated with the use or misuse of this information. The official public records from which this map was prepared are those maintained by the County Assessor's Office, the State government agencies and departments, and are available for inspection and copying during normal business hours. By using this map, you agree to these terms and conditions.



City of Manchester, New Hampshire - CityGIS Map Print

18

Exhibit C

Legal Description for Lot 875-15, located at 725 Gold Street, Manchester:

A certain tract or parcel of land with the buildings thereon, situate in Manchester, Hillsborough County, State of New Hampshire, being Lot 875-15 on Plan #_____, entitled "ALTA/ACSM Land Title Survey, 725 Gold Street in Manchester, New Hampshire (Hillsborough County), dated December 22, 2005, prepared by BSC Group, more particularly bounded and described as follows:

Beginning at a point on the northeasterly corner of the Lot on the southerly line of Gold Street; thence

1. South $9^{\circ} 17' 43''$ East, a distance of 80.15 feet to a concrete bound found; thence
2. South $09^{\circ} 76' 53''$ East, a distance of 488.15 feet by the westerly side of Lot 875-14; to an iron pipe at the southeasterly corner of the lot; thence
3. South $64^{\circ} 53' 52''$ West, a distance of 310.73 feet by the northerly line of the Interstate Highway 293 to an iron pipe; thence
4. South $82^{\circ} 28' 33''$ West, a distance of 517.33 feet by the northerly line of Lot 875-16 to an iron pipe at the southeasterly corner of the premises; thence
5. North $32^{\circ} 51' 25''$ West, a distance of 21.90 feet to an iron pipe; thence
6. North $08^{\circ} 01' 16''$ West, a distance of 19.62 feet to an iron pipe; thence
7. North $32^{\circ} 51' 25''$ West, a distance of 714.62 feet by the easterly side of the rail road tracks to an iron pipe at the northwest corner of the premises on the southerly line of Gold Street; thence
8. North $80^{\circ} 33' 28''$ East, a distance of 305.63 feet by the southerly line of Gold Street to an iron pipe; thence
9. North $80^{\circ} 16' 28''$ East, a distance of 586.18 feet by the southerly line of Gold Street to an iron pipe; thence
10. Curving in a southeasterly direction with a radius of 399.80 feet, along the southerly line of Gold Street, a distance of 230.44 feet to the point of beginning.

Containing 15.178 Acres, more or less.

18

Legal Description for Lot 875-16, located on Gold Street, Manchester:

A certain Tract or parcel of land, situated in Manchester, bounded and described as follows:

Beginning at a point on the southwest corner of the premises north of the Interstate Highway 293, thence

1. North $32^{\circ} 51' 25''$ West along said Manchester-Lawrence Railroad for a distance of 157.68 feet, more or less to an iron post set at land of Associated Grocers; thence
2. South $82^{\circ} 28'$ East for a distance of 517.33 feet, more or less to the interstate Highway 293; thence
3. South $64^{\circ} 53' 52''$ West for a distance of 471.90, along said Interstate Highway 293 to the point of beginning.

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RECEIVED
MANCHESTER CITY CLERK

Ashkar Children's Trust Limited Liability Company
Mrs. Georgette Ashkar, Managing Member
8180 East Quincy Avenue
Cherry Hills Village, CO 80111
(303) 796-8128

Mr. John Ashkar
29 Fairmount Drive
Danbury, CT 06811
(203) 792-4963
JUN 20 P12:21

June 19, 2006

The Board of Mayor and Aldermen
of the City of Manchester
One City Hall
Manchester, NH 03101-2097

Re: Authorization to Pursue Rezoning

To Whom It May Concern:

We, the undersigned, being the owners of the real property sometimes referred to as Map 875, Lot 16, located near Gold Street in Manchester, New Hampshire, hereby grant our authority to GFI Gold Street, LLC, to take any and all actions required or deemed necessary to re-zone the property from "Industrial" to "B 2".

Thank you for your attention to this matter, and if you have any questions please contact our counsel, Susan Perkins of Perkins Ruschena, LLC, at (303) 779-8100.

Sincerely,

Ashkar Children's Trust Limited Liability
Company


By: Georgette Ashkar, Managing Member


By: John Ashkar



CITY OF MANCHESTER

Planning and Community Development



Robert S. MacKenzie, AICP
Director

Planning
Community Improvement Program
Growth Management

Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

June 28, 2006

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: *Technical Review, Rezoning Petition – Gold Street*

Dear Mr. Bernier:

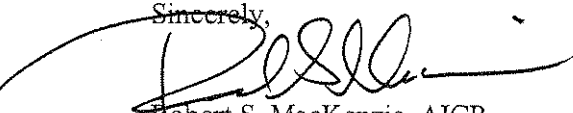
In accordance with the procedures on rezoning requests, the following information is being provided to your office in consideration of a rezoning request filed by the owner of one property and agent for a second property on Gold Street (including two lots: Lot 875-15 and 875-16). The subject parcels are located on the south side of Gold Street east of the former Lawrence Rail Branch. The first property is 15.2 acres currently containing the Associated Grocers Building and the second is .85 acres in size that is vacant. The subject properties are currently zoned *Industrial (IND)*. The applicant is requesting that the zoning district be changed to General Business (*B-2*).

Presently, while the parcels are adjacent to a B-2 on one side, the rezoning action would create one parcel that would be zoned IND and surrounded by B-2. As this could be considered spot zoning, we would recommend that the parcel at 835 Gold Street (Lot 875-14; 3.42 acres) also be considered by the Board for rezoning from IND to B-2. In the 1993 Master Plan for the City of Manchester, this area was identified as Industrial land use although the plan also recognized that extension of the business zone into areas of industrial zone was likely and that certain precautions should be taken. The key precaution from the Master Plan as it relates to this rezoning request states "...the proposed district should be evaluated to insure that possible projects will not encourage additional traffic impacts upon residential areas..." The applicants, working with the City, have devised a traffic calming plan to mitigate impacts on Gold Street and Sewall Street which may be considered by the Board of Mayor and Aldermen.

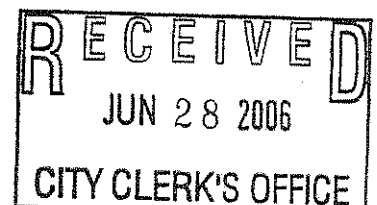
From a technical perspective, the petition may be forwarded to the Board of Mayor and Aldermen for consideration. Consistent with the policy for rezoning petitions, the planning staff is providing a copy of the petition to the Planning Board, the Building Department and the Office of the City Solicitor for comment.

I will be available for any questions that the Board may have.

Sincerely,


Robert S. MacKenzie, AICP
Planning Director

C: Planning Board
Office of the City Solicitor
Building Department
Economic Development Office
One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov





CITY OF MANCHESTER

Manchester Economic Development Office



August 3, 2006

Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

RE: Proposed Amendment to Zoning Map – Gold Street

Honorable Board Members:

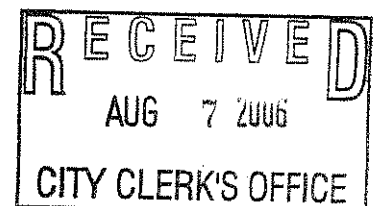
This to recommend the extension of the B-2 Zoning District to encompass the former Associated Grocer's Site, 725 Gold Street and an adjacent parcel. The proposed redevelopment of the Associated Grocers site into a new Home Depot store is projected to cost over \$21,000,000 and generate \$193,000 in new property tax revenue to the City annually. In addition the project will allow Home Depot to expand in the City of Manchester, rather than relocating out-of-town. The existing space leased by Home Depot is in great demand by quality national retailers and will be redeveloped in short order.

In addition GFI/Home Depot development venture is contributing \$4,000,000 to the Gold Street Improvement Project. This project will widen and/or bypass narrow portions of Gold Street and improve and signalize neighborhood street intersections resulting in improved traffic flow, increased safety, curbside visitor parking, sidewalks and landscaping. This improvement to Gold Street will enable the City to entertain additional retail zoning requests near the Associated Grocer/Home Depot site which could generate significant additional investment and new property tax revenue while reducing industrial traffic truck traffic in the area. Based on acreage and lot coverage projections, the City could realize as much as \$184,000 in additional new property tax revenue from future adjacent retail development. In addition, the City could negotiate to recover a portion of the City's Gold Street improvement costs from future developers.

The Gold Street site is adjacent to the growing and successful South Willow Street retail district in close proximity to residential neighborhoods. Industrial truck traffic is incompatible with consumer and neighborhood traffic automobile. In my recommendation that the highest and best use of this site is retail, not industrial.

Sincerely,

Paul J. Borek
Economic Development Director



To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery

ought to pass.

(Aldermen Duval, Lopez, Garrity, and Pinard recorded in favor; Alderman Gatsas opposed)

IN BOARD OF MAYOR & ALDERMEN

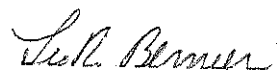
DATE: September 5, 2006

ON MOTION OF ALD. Garrity

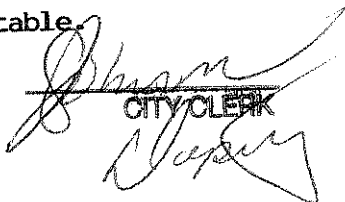
SECONDED BY ALD. Smith

VOTED TO table

Respectfully submitted,



Clerk of Committee


CITY CLERK

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin’s Cemetery”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin’s Cemetery and being more particularly bounded and described as follows:

Beginning at a point at the centerline of Bradley Street at a point opposite the property lines of New Beech Hill Development Company, LP (TM 691-15A) and the Diocese of Manchester (shown on a subdivision plan approved by the Planning Board on February 23, 2006 as TM 691-143-1), said point being on the zone boundary line of the R-3 (Urban Multi-family) district and the R-1B (Single-family), prior to this amendment;

Thence, westerly across the Right of Way of Bradley Street and continuing along the northerly boundary of said property of the Diocese of Manchester TM 691-143-1, said line also being the zone boundary line between the R-3 (Urban Multi-family) district and the R-1B (Single-family), prior to this amendment, approximately 1206 ft. to a point;

Said point being the end of the northerly boundary of the Diocese of Manchester TM 691-143-1, and at the intersection with the following properties: TM 691-143, TM 691-135, TM 691-136 and TM 691-15A;

Thence, southerly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of 285.94 ft. to a point;

Thence, easterly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of 295.71 ft. to a point;

Thence, southerly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of approximately 130 ft. to a point, said point being on the edge of the proposed Right of Way of the Gold Street Bypass;

Thence, easterly across the Right of Way of the Gold Street Bypass to the centerline of said Bypass a distance of approximately 30 feet to a point;

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin's Cemetery"

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

Thence, northeasterly and easterly along the centerline of the Right of Way of the Gold Street Bypass as extended to the centerline of Bradley Street a distance of approximately 1,017 feet to a point;

Thence northerly along the centerline of Bradley Street to a point opposite the property lines of New Beech Hill Development Company, LP (TM 691-15A) and the Diocese of Manchester (TM 691-143-1) a distance of approximately 324 feet to a point, said point also being the point of beginning.

Said description meaning to include a portion of property of the Diocese of Manchester (shown on a subdivision plan approved by the Planning Board on February 23, 2006 as TM 691-143-1) consisting of approximately 8.1 acres of private land, to be rezoned from the R-1B (Single-family) zoning district to the R-3 (Urban Multi-family) zoning district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.

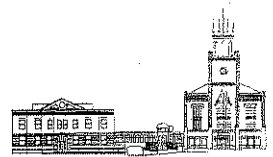


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

July 20, 2006

Honorable Board of Mayor and Aldermen
City Hall
One City Hall Plaza
Manchester, New Hampshire 03101

re: Rezoning of Diocese Property behind Gold Street

Honorable Board Members:

This is to submit a request for rezoning for a portion of the Diocese Property adjacent to the proposed Gold Street Bypass from a single-family district (R-1B) to a multi-family district (R-3). The agreement that the Board recently acted upon called upon the City to initiate this rezoning. The Diocese has offered to donate the land necessary to create the new Gold Street Bypass as part of an overall plan to mitigate traffic in the area.

As this rezoning and the subsequent dedication of street area is necessary to complete the traffic improvements, it may be appropriate for the Board to time the final action on the rezoning of the Associated Grocers site with the rezoning of the Diocese property to insure that the creation of the Bypass is feasible.

From a technical standpoint, the Diocese rezoning is an extension of an existing multi-family zoning district and there are no other specific issues to preclude the rezoning to proceed to public hearing.

If you have any questions, I will be available at your next meeting.

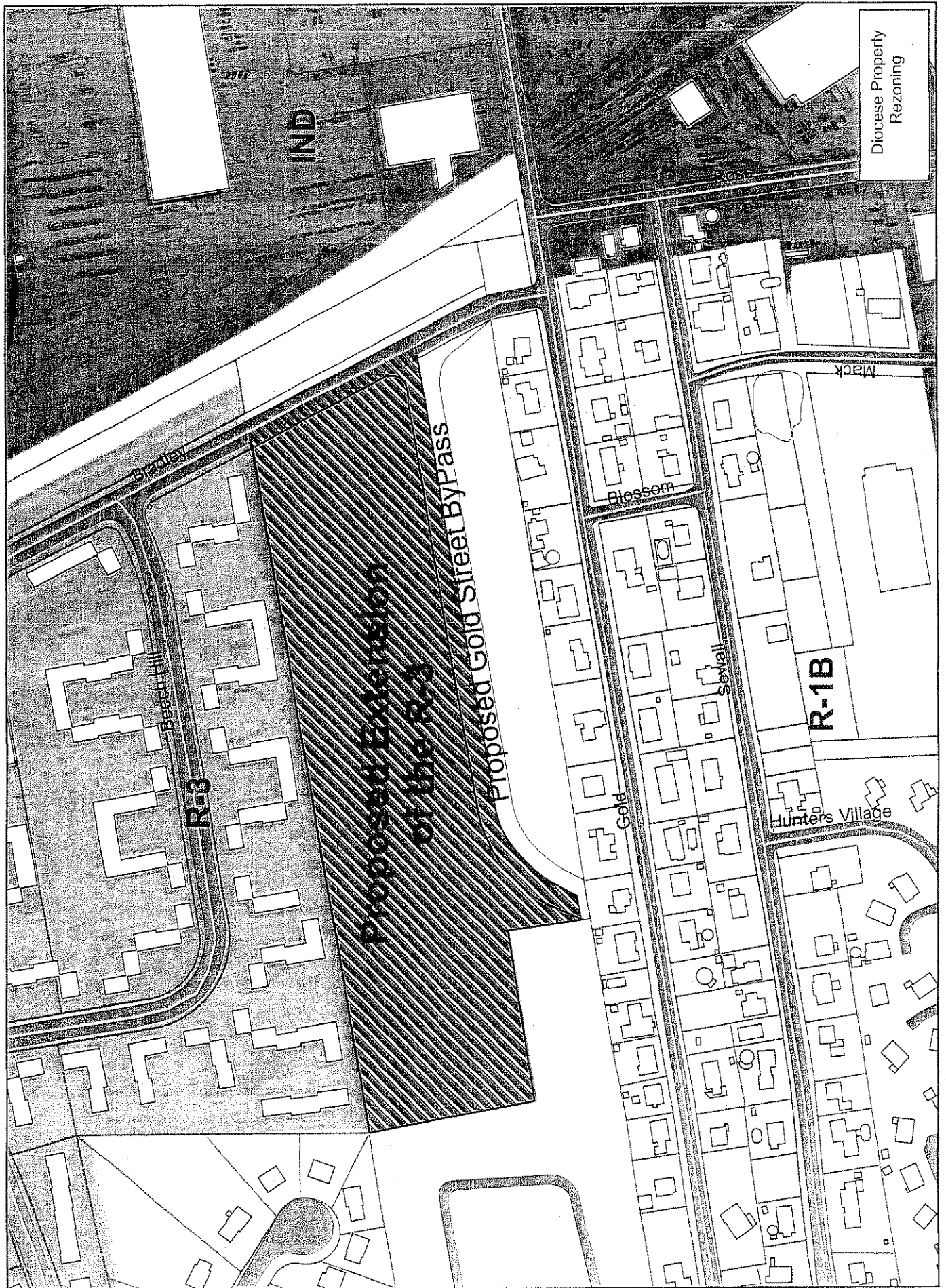
Sincerely,

Robert S. MacKenzie, AICP
Director of Planning & Community Development

C: Planning Board
Building Department
Brad Cook
Tom Arnold
Paul Borek

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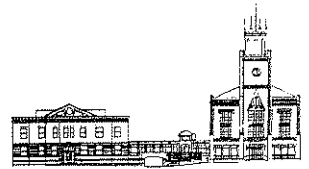
One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov





CITY OF MANCHESTER

Manchester Economic Development Office



August 3, 2006

Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

RE: Proposed Amendment to Zoning Map – Diocese Property Behind Gold Street

Honorable Board Members:

This is to recommend that the R-3 Zoning be extended south to encompass a 9-acre parcel created by the Manchester Diocese donation of right-of-way for the proposed Gold Street Bypass. The remaining Diocese property, between the new Gold Street Bypass and existing single family homes will retain single family zoning allowing for a compatible buffer between existing homes and the proposed Bypass.

By donating the requested right-of-way, the Manchester Diocese enabled the City of Manchester, with the generous assistance of Home Depot, to solve a decades old traffic problem in the Gold Street neighborhood. Without the Diocese donation of right-of-way, further redevelopment of the Gold Street would be prohibited. Doing so allows Home Depot to expand, create new property tax revenue and allows other retailers to expand in or relocate to adjacent parcels the City of Manchester.

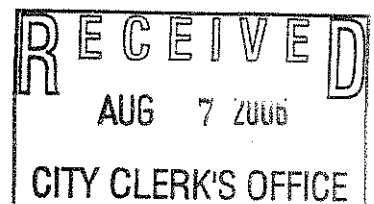
The Global Economic Development Strategy prepared by AngelouEconomics recommends that the City of Manchester “promote diverse housing that is affordable for local workers”, noting the following excerpt from the National League of Cities (<http://www.nlc.org>):

Local governments are responsible to their residents for maintaining communities where their people can live, work, enjoy recreational activities, and access services. Affordable housing, comprehensive community development, and well-planned and coordinated land use foster communities that are vibrant, diverse and sustainable. Further, these are critical components to the economic vitality of communities and local economic regions for creating jobs and increasing municipal tax base.

While this parcel is being considered for market rate development, Manchester’s growing employee base in The Millyard, Downtown and throughout the City includes skilled technology and financial service professionals who need housing appropriate to their desires, lifestyle and budgets. New Hampshire business leaders and demographic experts have articulated concerns about maintaining sufficient housing availability for the demand of a growing business economy. The requested rezoning helps to address the need for housing to accommodate the growing Manchester employment base. For these reasons, your approval of this request is recommended.

Sincerely,

Paul J. Borek
Economic Development Director



One City Hall Plaza, Manchester, NH 03101 Phone (603) 624-6505 Fax (603) 624-6308
E-mail: econdev@ci.manchester.nh.us www.ci.manchester.nh.us

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